

Joseph A. Folz, Herman Therber, Louis Kauowely, Peter Klantz, William J. Abigt, Henry Roab, Frank C. Schuler, Henry Ruhmeier, Charles Tremers, Frank Sachs, Ham Schaefer, J. Rumpf, John J. Manning, D. J. Murphy, George Peters, Goldia Boyd, F. L. Schmitz, Thomas Matthews, Ollie Humes, Charles Bunder, Richard Peake, Phil Stinson, Thomas M. Britton, William Schneider, Herbert Cook, George W. Cox, Allen T. Wright, Lewis R. Geiss, R. Ingram, C. L. Meadow, Harry Henn, William Hite, John E. Polhins, B. Goodman, Boyde Jones, Ellis E. Vowels, Victor Hubbard, L. Wagner, Charles Byers, Charles Snowball, Albert Gumbel, R. L. Pesch, John Stratmore, Valentine Hoener, V. Sundermann, Frank Lemcke, Otto Moers, John Grimm, Louis Reuter, John A. Holler, Henry Fox, Emil H. Rohnn, and George Haffel, of Evansville, Ind., protesting against the passage of Randall mail-exclusion bill, Bankhead mail-exclusion bill, Sheppard District prohibition bill, Webb Nation-wide prohibition bill, and Howard bill to prohibit commerce in intoxicating liquors between the States; to the Committee on the Judiciary.

Also, petition of E. Leat, Bob Schwana, Frank Gray, Moses S. Langley, James Mitchell, John E. Hildebrandt, George P. Allen, A. H. Bredenkamp, Val Kramer, Charles Fhoenbachler, Adam Kunz, Jacob Kunz, P. D. Drain, Louis Ernst, George J. Vogel, Charles B. Keil, Otto Dum, jr., F. J. Haas, Henry Gasper, Elmer Strasser, G. Powers, Frank Blend, Comas Blend, Joseph Bender, John F. Kissinger, Henry Holtz, Walter McCleary, George R. Geleus, Frank Dulling, R. E. Scully, I. L. Miller, Roy Durre, Charles Bundy, William Hobell, Martin Lanil, D. J. Henson, Oscar Seiffer, Ed. Euler, Edgar Durre, Fred Sunderman, Ferd Brown, Ralph Stevens, Adolph Wingert, Abe Levi, Charles Raben, Louis Condredt, Joseph Ansem, Joseph Maas, Louis Raben, George Edwards, Henry Schneider, R. H. Beatly, Edw. Raston, Floyd Queen, Frabj Diehl, William Darant, Charles P. Becker, G. W. Pursley, A. Heallington, Taylor Rodgers, J. George Diehl, Joseph G. Diehl, Jacob G. Diehl, B. H. Diehl, James H. Mathes, Henry Kirpf, jr., Edw. Yates, August J. Diehl, A. D. Schulte, E. H. Rahu, William Cavins, Jacob Highholder, John L. Shipp, C. A. Low, Wesley Falls, August Grotius, Julius Kastatter, Otto Scheel, H. Baertuh, Emil Rahm, William A. Fritsch, William Gotta, G. Wolf, Louis Bauer, Henry Rosenthal, F. M. Lauenstein, C. R. Kiener, Ed. Rommel, John W. Wimberg, H. F. Gruemenger, F. A. Schoeny, B. Steinhauer, A. M. Fisher, Franz Walter, John J. Ehrhardt, John L. Fitzsimmons, Gus. F. Ebert, Roland C. Stern, Henry C. Ries, Otis Potter, Elmer Schoeber, Paul B. Goss, George Swaton, I. G. Burton, Charles F. Elker, A. Wentue, George Emmelto, Albert Wandus, A. E. Kramer, L. J. Perrin, A. Carnegie, A. J. Fehn, J. Keely, M. S. Bettog, Leo Seligman, M. M. Walters, Tousspepe Rimondo, Doe Bowers, W. D. Beever, Frank Niet-hamee, John J. Ehrhardt, John L. Fitzsimmons, Gus. H. Ehrt, Roland Steen, Julius A. Drahem, John Walker, W. J. E. Walker, Leo Cissell, and V. E. Erickson, of Evansville, Ind., protesting against the passage of Randall mail-exclusion bill, Bankhead mail-exclusion bill, Sheppard District prohibition bill, Webb nation-wide prohibition bill, and Howard bill to prohibit commerce in intoxicating liquors between the States; to the Committee on the Judiciary.

Also, petition of George C. Wellinger, Charles E. Myers, C. M. Zalhus, E. V. Alexander, J. Crail, Ray Curry, Fred Linder, Elmer Eisenbaith, W. A. Whetsell, R. Steinmetz, L. P. Kirch, R. W. Johnson, M. J. Joyce, H. F. Hubbard, John E. Lynch, G. W. Butler, P. H. Riede, W. J. Palmer, L. H. Carle, U. S. G. Curless, M. F. Hanley, P. E. Lawler, F. E. Theobald, George W. Neff, C. A. Wetzel, P. Rattery, O. C. Robinson, James Gorman, William S. Alexander, Oscar Mace, James M. Gahey, L. S. Dreyor, S. H. Sontes, S. Donnelly, P. J. Tarry, W. E. Murphy, Ira W. Eckelberger, Bert O. Sherrill, Thomas H. Gibson, F. W. Hergt, A. J. Lee, Bart Kavanagh, R. J. Neely, G. D. Ashley, C. A. Clamon, A. Connelly, J. S. Reno, F. W. Dennie, W. W. Shartle, J. O. Fly, Charles H. Night, J. T. Ellis, J. J. Moore, F. H. Hurt, employees of the Bureau of Animal Industry, United States Department of Agriculture, residing in the State of Indiana, urging passage of House bill 16060; to the Committee on Agriculture.

By Mr. MAGEE (by request): Petition of citizens of Syracuse, N. Y., in re House bill 8986, Senate bills 4429 and 1082, House joint resolution 84, and House bill 17850; to the Committee on the Judiciary.

By Mr. MANN: Petition of eight Lithuanian societies, of Roseland, Ill., favoring an embargo on food products, etc.; to the Committee on Interstate and Foreign Commerce.

By Mr. MEEKER: Petitions of Colcord-Wright Machinery & Supply Co., Moloney Electric Co., and Fred Messmer Manufacturing Co., of St. Louis, Mo.; also Larned, Carter & Co., of Detroit, Mich., in favor of 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

Also, petitions of the Woman's Benefit Association of the Maccabees; Loyal Order of Moose, Lodge No. 3; Fraternal Order of Eagles; and Frank B. Nuderscher, all of St. Louis, Mo.; also editor Southern Engineer, editor Cotton, editor Iron Tradesman, and editor Machinery and Supply Buyer, all of Atlanta, Ga.; also New York State Federation of Labor, of Utica, N. Y.; the Woman's Benefit Association of Maccabees, of Port Huron, Mich.; and Union Label Trades Department of the American Federation of Labor, of Washington, D. C., all protesting against the zone bill; to the Committee on the Post Office and Post Roads.

By Mr. NEELY: Petitions of various persons residing in the first congressional district of West Virginia, urging a higher rate of compensation for rural mail carriers; to the Committee on the Post Office and Post Roads.

By Mr. OAKLEY: Petition of Local Union No. 35, International Union of Brewery Workers, of Hartford, Conn., opposing all mail-exclusion and prohibition laws; to the Committee on the Judiciary.

Also, petition of citizens of New Britain, Conn., opposing the passage of mail-exclusion and prohibition bills; to the Committee on the Judiciary.

Also, memorial of Hartford (Conn.) Chamber of Commerce, advocating universal compulsory training for young men; to the Committee on Military Affairs.

Also, memorial of Hartford (Conn.) Chamber of Commerce, favoring unification of Federal and State regulation of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. ROWE: Memorial of American Federation of Teachers, opposing amendment to section 6 of House bill 19119; to the Committee on the District of Columbia.

Also, memorial of International Union of the United Brewery Workmen, in re conditions of Government employees; to the Committee on Appropriations.

Also, memorial of the Lincoln Society, of Brooklyn, N. Y., in favor of compulsory universal military training; to the Committee on Military Affairs.

By Mr. SANFORD: Memorial of Albany (N. Y.) Chamber of Commerce, favoring universal military training; to the Committee on Military Affairs.

Also, petition of citizens of Albany, N. Y., protesting against prohibition bills; to the Committee on the Judiciary.

By Mr. SHALENBERGER: Petition of 29 citizens of Nuckolls County, Nebr., for a Christian amendment to the Constitution; to the Committee on the Judiciary.

By Mr. SLOAN: Thirty-six petitions for increase in salaries and method of pay of rural carriers; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Michigan: Papers to accompany House bill 20033, for relief of Clarion D. Smith; to the Committee on Pensions.

By Mr. STEENERSON: Protest of A. E. Babcock, editor Bronson Budget, Bronson, Minn., against the enactment of House bill 8348; to the Committee on the District of Columbia.

By Mr. TAGUE: Petition of customs district of Massachusetts, favoring salary increases; to the Committee on Appropriations.

By Mr. TINKHAM: Memorial of Boston Council of the Friends of Irish Freedom, of Boston, Mass., in re foreign conditions; to the Committee on Foreign Affairs.

SENATE.

SATURDAY, January 13, 1917.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come with reverence before Thee and call upon Thy name and ask Thy blessing, for Thou art the governor of all nations, Thou art the judge of all men. Thou hast revealed Thy will to men. The revelation of Thy will is the path of human progress and blessing and happiness. Help us to conform our lives to Thy will and so work out the problems of State as that our land in its national life may be a transcript of the Divine revelation. For Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., January 13, 1917.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOSEPH T. ROBINSON, a Senator from the State of Arkansas, to perform the duties of the Chair during my absence.

WILLARD SAULSBURY,
President pro tempore.

Mr. ROBINSON thereupon took the chair as Presiding Officer and directed the Secretary to read the Journal of the proceedings of the preceding day.

The Journal of yesterday's proceedings was read and approved.

CALLING OF THE ROLL.

Mr. GRONNA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from North Dakota suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Husting	Nelson	Smith, S. C.
Bankhead	James	Norris	Smoot
Chamberlain	Johnson, Me.	Oliver	Stone
Chilton	Johnson, S. Dak.	Overman	Thomas
Clapp	Jones	Page	Thompson
Cole	Kenyon	Ransdell	Townsend
Culberson	Kern	Robinson	Underwood
Fletcher	Kirby	Shafroth	Vardaman
Gallinger	Lee, Md.	Sheppard	Wadsworth
Gronna	Lodge	Sherman	Walsh
Harding	McCumber	Smith, Ariz.	Watson
Hardwick	McLean	Smith, Ga.	Works
Hughes	Martine, N. J.	Smith, Mich.	

Mr. GALLINGER. I have been requested by the Senator from Kansas [Mr. CURTIS] to state that he is absent on official business and is paired with the junior Senator from Georgia [Mr. HARDWICK].

Mr. STONE. My colleague [Mr. REED] is absent on official business.

Mr. OVERMAN. I wish to announce that the Senator from Florida [Mr. BRYAN] is absent on official business, and that my colleague [Mr. SIMMONS] is absent on account of illness.

Mr. MARTINE of New Jersey. I rise to announce the absence of the Senator from Oklahoma [Mr. GORE] owing to illness. I ask that this announcement may stand for the day.

I have also been requested to announce that the Senator from California [Mr. PHELAN] is detained from the Senate on account of official business.

Mr. CHILTON. I wish to announce that my colleague [Mr. GORE] is absent on account of illness. I will let this announcement stand for the day.

Mr. SMITH of Arizona. I was requested to announce the absence of the Senator from Tennessee [Mr. SHIELDS] on account of illness. I should like to have this announcement stand for the day.

The PRESIDING OFFICER. Fifty-one senators have answered to their names. A quorum is present.

WHITE-PINE BLISTER RUST.

Mr. SMITH of Michigan. Mr. President, I have a letter from the State inspector of nurseries and orchards of Michigan which bears upon an important subject before the Committee on Agriculture and Forestry. As it is very brief, I ask that it may be read for the information of Senators.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan?

There being no objection, the letter was read and referred to the Committee on Agriculture and Forestry, as follows:

EAST LANSING, MICH., January 2, 1917.

Hon. WM. ALDEN SMITH,
Senate Chamber, Washington, D. C.

DEAR MR. SMITH: The report has reached me that the House Committee on Agriculture refuses to allow more than \$35,000 to be placed in the Agriculture appropriation bill to be used for the suppression of the pine-blister rust in North America, and that in order to secure a larger sum than this for the purpose the bill will have to be amended after it reaches the Senate, and I am writing to call your attention to the importance of this matter to your State.

You are doubtless aware that this disease is practically fatal to pine forests and that, although but a few years in this country, it has obtained a foothold in a number of places in New England, New York, Pennsylvania, Wisconsin, Minnesota, and Ontario, and probably Ohio and Indiana. Although we are thus surrounded by infected regions it has not as yet, so far as we know, obtained a foothold in Michigan. Hence we are not only anxious to keep it out but to be prepared to suppress wherever and whenever it appears. In order to do this work effectually a large expenditure of money will be necessary, not only in suppressing it in the neighboring States, but also if it should obtain a foothold in Michigan.

While our State law with a few amendments which we expect to secure this winter will enable us to do good work, we shall require the assistance of men connected with the United States Department of Agriculture, and with the disease now present in a dozen or more States and likely to spread to others you can see that the sum mentioned will not provide very much assistance for Michigan.

While the greater part of our pine forests have been swept away, we still have considerable areas of virgin pine and several hundred thousand acres where the second growth is beginning to have some value upon land which is of little value except for growing timber. We have also in the State several thousand acres which an attempt is being made to reforest and upon which millions of white pine have been planted at a large expense.

The disease also attacks currants and gooseberries, and if it obtains a foothold in the State the same will certainly cause immense loss, especially in the Michigan fruit belt.

Trusting that you will use your best efforts to secure an increase in the above appropriation, I am

Yours, very truly,

L. R. TAFT,

State Inspector of Nurseries and Orchards.

ELECTION OF PRESIDENT WILSON.

The PRESIDING OFFICER laid before the Senate a message of congratulations from the Municipal Council of Iguig, Cagayan de Luzon, P. I., on the reelection of President Woodrow Wilson, which was referred to the Committee on the Philippines.

DEATH OF SENATOR JAMES P. CLARKE.

The PRESIDING OFFICER laid before the Senate a message of condolence from the Municipal Council of Calauan, Laguna, Philippine Islands, on the death of Hon. JAMES P. CLARKE, late a Senator from the State of Arkansas, which was referred to the Committee on the Philippines.

GEORGETOWN BARGE, DOCK, ELEVATOR & RAILWAY CO. (H. DOC. NO. 1933).

The PRESIDING OFFICER laid before the Senate the annual report of the Georgetown Barge, Dock, Elevator & Railway Co., which was referred to the Committee on the District of Columbia and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House insists upon its amendment to the bill (S. 703) to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HUGHES, Mr. RUCKER, and Mr. POWERS managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 19937) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. NELSON presented a memorial of the Minnesota State Bar Association, remonstrating against the enactment of legislation to provide for the appointment of clerks of United States courts by the President, which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to provide for payment of rural carriers in proportion to the length of the route over the standard 24-mile route, which were referred to the Committee on Post Offices and Post Roads.

Mr. THOMPSON presented petitions of sundry citizens of Pittsburg and Independence, in the State of Kansas, praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

Mr. HUGHES presented petitions of sundry citizens of Paterson, N. J., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of New Jersey, remonstrating against the enactment of legislation to prohibit liquor advertisements from the mails, which were ordered to lie on the table.

He also presented memorials of sundry citizens of New Jersey, remonstrating against the high cost of living, which were referred to the Committee on the Judiciary.

Mr. PHELAN presented a telegram in the nature of a memorial from Local Lodge, No. 636, Loyal Order of Moose, of Eureka, Cal., remonstrating against an increase in the pound rate of postage for publications, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the Central Labor Council of San Jose, Cal., remonstrating against prohibition in the District of Columbia, which was ordered to lie on the table.

INSPECTION OF VESSELS.

Mr. FLETCHER. I report back favorably from the Committee on Commerce the bill (H. R. 13831) to amend section 4464 of the Revised Statutes of the United States, relating to number of passengers to be stated in certificates of inspection of passenger vessels, and section 4465 of the Revised Statutes of the United States, prescribing penalty for carrying excessive

number of passengers on passenger vessels, and section 4466 of the Revised Statutes of the United States, relating to special permits for excursions on passenger steamers, and I submit a report (No. 923) thereon. I ask that the bill may be placed on the calendar.

The PRESIDING OFFICER. The bill will be placed on the calendar.

F. C. X. BOUCHER.

Mr. JOHNSON of South Dakota, from the Committee on Indian Affairs, to which was referred the bill (S. 2200) for the relief of F. C. X. Boucher, reported it with an amendment and submitted a report (No. 924) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of South Carolina:

A bill (S. 7839) to amend an act entitled "An act in reference to the expatriation of citizens and their protection abroad," approved March 2, 1907; to the Committee on Immigration.

By Mr. JONES:

A bill (S. 7840) for securing the uniform grading of food, preventing deception in transactions in food, and regulating traffic therein, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. JOHNSON of South Dakota:

A bill (S. 7841) for the relief of the heirs of Harry Davenport, deceased (with accompanying papers); to the Committee on Claims.

By Mr. McCUMBER.

A bill (S. 7842) granting an increase of pension to Mary Jones (with accompanying papers); to the Committee on Pensions.

By Mr. KERN:

A bill (S. 7843) granting an increase of pension to Thomas D. Scott (with accompanying papers); to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 7844) relating to desert-land entries; and

A bill (S. 7845) for the relief of Alma Harris; to the Committee on Public Lands.

By Mr. SMITH of Michigan:

A bill (S. 7846) for the relief of Joseph Elliot Austin (with accompanying paper); to the Committee on Naval Affairs.

By Mr. SHERMAN:

A bill (S. 7847) granting an increase of pension to John Wones; to the Committee on Pensions.

By Mr. JAMES:

A bill (S. 7848) granting an increase of pension to Joseph M. Love (with accompanying papers);

A bill (S. 7849) granting a pension to George T. Cooney (with accompanying papers);

A bill (S. 7850) granting a pension to William S. Arnold (with accompanying papers);

A bill (S. 7851) granting an increase of pension to Mary Robinson Dobyns, widow of George H. Dobyns (with accompanying papers);

A bill (S. 7852) granting an increase of pension to Thomas Dunam (with accompanying papers);

A bill (S. 7853) granting an increase of pension to Henry McClure (with accompanying papers);

A bill (S. 7854) granting an increase of pension to Elijah Bullock (with accompanying papers);

A bill (S. 7855) granting a pension to William M. Graham (with accompanying papers);

A bill (S. 7856) granting an increase of pension to Michael O. Sullivan (with accompanying papers); and

A bill (S. 7857) granting an increase of pension to Samuel McClure (with accompanying papers); to the Committee on Pensions.

By Mr. HITCHCOCK:

A bill (S. 7858) to give effect to the convention between the United States and Great Britain for the protection of migratory birds, the ratifications whereof were exchanged on the 7th day of December, 1916, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. BANKHEAD:

A bill (S. 7859) authorizing the Postmaster General to increase prices for certain supplies to conform to abnormal market conditions; to the Committee on Post Offices and Post Roads.

By Mr. PHELAN:

A bill (S. 7860) granting a pension to Julius Wolbrecht (with accompanying papers); to the Committee on Pensions.

By Mr. TILLMAN:

A joint resolution (S. J. Res. 197) authorizing the erection of a memorial to Francis Marion in the city of Washington, D. C., on a designated site; to the Committee on the Library.

WATER-POWER DEVELOPMENT.

Mr. WORKS. Mr. President, I desire to offer a proposed amendment to the water-power bill (H. R. 408). I am not going to ask that it may be read at this time, but I desire to have it printed in the RECORD.

I should like to say a word in explanation of its purpose. As is well understood, the pending bill provides for the lease of water-power sites. This amendment proposes the sale and granting of those rights for a price either to be determined upon between the Secretary of the Interior and the purchaser, or, if they are unable to agree, then by proceedings in court. It is provided that the sale may be made to any person who has acquired the right to divert and distribute and use the waters under the laws of the State. It distinguishes from the other measure particularly because it provides for the sale rather than the leasing of water-power rights.

There being no objection, the amendment was ordered to be printed in the RECORD and to lie on the table, as follows:

Amend the amendment of the committee by striking out all after the enacting clause and insert the following:

"That subject to the limitation and provisions in this act contained, the right of way is hereby granted to construct, develop, maintain, and operate all necessary or convenient dams, reservoirs, canals, conduits, pipe lines, tunnels, transmission lines, roads, power houses, and all other works or structures necessary or convenient for the appropriation and beneficial use of water and the power or other products generated thereby and for the utilization and beneficial use of the same on, over, under, and across any part of the public lands of the United States (including Alaska) reserved or unreserved, including national forests, national monuments, and Indian reservations, to any State or municipal subdivision thereof, or to any mutual or public-service corporation organized for the purpose or to any person or persons authorized by the State or States in which any portion of such works, structures, or appurtenances are situated: *Provided*, That as to any such rights or uses that are located within any national monuments or Indian reservations the same shall be located subject to the approval of and under the direction of the Secretary of the Interior, and in such a way as not to interfere with said national monuments or Indian reservations or the uses or purposes for which the same are created.

"SEC. 2. That any applicant for a grant hereunder may file with the Secretary of the Interior, or of the department having jurisdiction of such lands, proof of his right to the appropriation or use of water, together with plans and specifications for such works, together with such maps and drawings of the proposed canals, works, reservoirs, and other structures as may be required for the full understanding of the same, which plans and specifications and drawings shall be approved by the Secretary, subject to the laws of the State with respect to and controlling the appropriation and beneficial use of water for the purposes for which the same is being appropriated. If said proposed canals, works, reservoirs, or other structures are located within any national monument or Indian reservation, no work upon or in connection therewith shall be commenced or proceeded with until the location of the same is approved by the Secretary of the department having jurisdiction thereof, as hereinbefore in this act provided, and if within a forest reserve may be required to be so located as not unnecessarily to interfere with the purposes for which such reserve is created: *Provided*, That no grant shall be made under this act until the applicant shall have obtained and filed with the officer to whom the application is made a certificate from the State board, commission, or other body or officer having jurisdiction over the use of the waters of the streams of the State that such applicant has the lawful right to divert and use the water for the purpose or purposes for which the application is made. If no such body or officer exists in any State, then the officer to whom such application is made shall, in case of conflict, make the grant to the person having the legal right to the use of the water: *Provided further*, That within 90 days after the approval of such plans, specifications, and drawings said grantee and said Secretary shall agree upon the then fair market value of the lands proposed to be occupied or used and which are owned or controlled by the United States; and in the event of their failure to agree within such time, then such grantee shall have the right to and may bring proceedings in the district court of the United States for the district in which such lands are situated, or in which any part thereof may be located, for the purpose of determining the then fair market value thereof. Such district court is hereby given jurisdiction of such proceedings for such purpose and service of process may be had on the clerk of said court, and, upon service being made and within 30 days thereafter, the Attorney General of the United States shall enter his appearance for the United States. Such proceedings shall be conducted according to the laws and rules in force in such jurisdiction at such time for the exercise of the right of eminent domain for public purposes, with the right of appeal as in other cases. Upon an agreement being reached as to the fair market value of said land between said Secretary and the grantee, or, in the event of failure so to agree, then upon the bringing of such action in said court of the United States and upon the giving of a sufficient bond by the grantee, required and conditioned upon his complying with the order and judgment of the court and approved by the court, or upon the final adjudication of the value of said land, the grantee shall have the right to occupy the same for the purposes above set forth so long as and during such period or periods of time thereafter as the said grantee, its successors or assigns, shall be possessed of the right of appropriation and beneficial use of the waters appropriated and used in connection with said rights of way: *And provided further*, That if, and whenever, the right of appropriation and beneficial use of said waters and the right to use and enjoy the products thereof shall be assigned, transferred, conveyed, forfeited to, or vested in any other corporation or person or State or municipal subdivision thereof, then and thereupon the rights of way and all of the rights and privileges hereby granted to the grantee shall belong to and shall be vested in such successor in interest or right of the grantee or its successors

or assigns, so that said right of way shall continue with, appertain to, and shall be used and enjoyed only by the grantee or its successors in interest, or in any State or municipal subdivision thereof having the right or being charged with the duty of appropriation and beneficial use of the waters diverted and used in connection with the rights of way so granted, and having the right to engage in and being charged with the duty of carrying on the service connected with the appropriation and beneficial use of said water or the electric power or products generated thereby or produced therefrom.

"Sec. 3. That in arriving at the fair market value of such land the parties, or, in case of disagreement, the court, shall take into account the enhanced value of said land for power plant or reservoir or other special purpose or purposes.

"Sec. 4. That in the event of the acquisition of the property of the grantee, including or connected with the rights and privileges obtained under this act, under the authority of the United States, or by or under the authority of any State or municipal subdivision thereof, the grantee shall not be entitled to claim or receive any compensation or value or in connection with any of the rights obtained or used under the provisions of this act. And the grantee and its successors in interest shall not be entitled, in the fixing of any rates by competent public authority, or by any State or legal subdivision thereof, to have or receive any allowance or earnings on account of any of the rights, uses, or privileges granted or received under this act, except such amounts, if any, as have been paid for the uses and privileges hereby granted and allowed.

"Sec. 5. That the grantee shall commence the construction of the proposed works within one year from the date of the agreement or final adjudication, or the approval of the bond, as in this act provided for, and shall thereafter, in good faith, continuously and with due diligence prosecute such construction, and shall within the further term of five years complete and put in commercial operation such development or such substantial part or portion thereof as the public needs shall demand, and shall complete and put in operation said entire development with due and reasonable diligence: *Provided*, That the rights of such grantee, its successors or assigns, shall not be forfeited or terminated so long as the grantee, his successors or assigns, remain vested with the right or duty to appropriate and beneficially use the waters or products thereof to be appropriated and used upon or in connection with said rights of way and shall be duly and reasonably exercising that right and duty: *Provided, however*, That whenever the rights of the grantee, its successors or assigns, are lost, forfeited, or transferred so that the water or the products thereof can not be appropriated or used upon or in connection with said rights of way, then and thereupon such rights of way or the parts or portions thereof which can not be so used or enjoyed shall revert to and be re-vested in the Government of the United States, or in the successor in interest of the said grantee entitled to and having the right to appropriate or beneficially use said waters or the products thereof: *Provided further*, That whenever the right to use the waters of the stream for the purposes of the grant shall be forfeited or otherwise terminated by the State wherein the land is situated or by final adjudication of the courts, then all the rights under the grant shall cease and terminate and the land revert to the United States.

"Sec. 6. That the rates and service of the grantee, its successors and assigns, shall be subject to regulation and control under the Constitution and laws of the United States and under the constitution and laws of the State or States within which the same are situated or used, and, in the event of forfeiture of any of the rights, privileges, or properties of the grantee, its successors or assigns, by reason or on account of the violation of any law of the United States or of any State, the rights hereby granted shall be forfeited therewith and shall revert to or be vested in the State or States, or municipal subdivisions thereof, or corporations or person or persons in whom the right or duty of appropriation and beneficial use of said waters or the products thereof shall be vested, and, in such event, without compensation to the grantee, its successors or assigns, for or in connection with any of the rights, uses, or privileges obtained, granted, or received under this act.

"Sec. 7. That rates and charges for power, or water furnished for irrigation or other use, shall be fixed and determined by the State in which the same is supplied: *Provided*, That where the power plant or reservoir site acquired under this act is in one State and power or water is supplied in another State any person supplied therewith in the latter State may apply to the Interstate Commerce Commission, or other body authorized by act of Congress, to fix such rates and charges for power or water supplied in such State.

"Sec. 8. That any qualified grantee or grantees under the terms of this act engaged in the appropriation and beneficial use of water or the products thereof, as in this act set forth under revocable permits or otherwise may come under and avail themselves of the privileges of this act upon application to the head of the department having jurisdiction of the administration of this act and, upon such application and the filing of the required plans, specifications, maps, and other data required, such qualified grantee shall come under and have and enjoy and be subject to all of the terms, rights, grants, conditions, limitations, and provisions of this act, upon compliance with its terms, as herein provided: *Provided*, That if any of its works or structures are in course of construction, or completion, at the time of so coming under the provisions of this act, the same shall be considered completed, used, operated, and enjoyed wholly under and in accordance with the terms and provisions and limitations of this act and as though originally authorized, granted, and constructed hereunder, and such grantee shall and may have the value of the rights and properties used and enjoyed under the terms of this act agreed upon or adjudicated and valued as in this act provided, and thereafter shall make payments to the Government of the United States in accordance with the terms of this act: *Provided, also*, That in the event of the rights and privileges of the grantee in connection with any existing uses or permits being brought under this act, thereupon and in connection therewith all of the other existing permits, rights, privileges, or claims of the grantee as to the rights and property so brought under this act shall be surrendered, canceled, nullified, and at an end, and the sole rights of the United States and the grantee as to such property shall be under and in accordance with this act.

"Sec. 9. That the Secretary of the Interior, or other Secretary having jurisdiction and control over any lands subject to the provisions of this act, shall make such rules and regulations as may be necessary and appropriate and for the purposes of and having the effect of carrying out the provisions of this act.

"Sec. 10. That the rights and privileges herein granted may be transferred, assigned, conveyed, mortgaged, or otherwise disposed of by the grantee, but only under and in accordance with and subject to the

provisions of this act and under and in accordance with the laws of the United States and of any State or States within which such said works are situated and any assignee or successor in interest of the grantee hereunder shall be subject to all of the terms and conditions of this act and to the laws of the United States and of the State or States within which said property or works are situated in all respects and to the same extent as the original grantee hereunder.

"Sec. 11. That the United States shall at all times have the right to reserve, sell, or otherwise dispose of all or any part of the lands or the products thereof upon, over, or in connection with which the rights, privileges, structures, and uses hereunder provided for are situated, subject to all of the rights of way, uses, occupancies, and privileges hereunder granted, including the right to all necessary means of ingress and egress used or reasonably required in the use and enjoyment of the rights and privileges granted hereunder.

"Sec. 12. That nothing in this act shall be construed as affecting or intended to affect, or to in any way interfere with the laws of any State relating to the control, appropriation, use, or distribution of water.

"Sec. 13. That all acts and parts of acts inconsistent with this act are hereby repealed, and the right to alter, amend, or repeal this act is hereby expressly reserved: *Provided*, That in case any grantee hereunder shall, at the time of such alteration, amendment, or repeal, have exercised rights in accordance with this act, such rights and property used thereunder shall be deemed property rights of such grantee, of which such grantee shall not be deprived by such alteration, amendment, or repeal, and only upon the conditions provided in this act."

Amend the title to read: "An act to provide for the disposition of the public lands for the supply of water for irrigation and the generation of power."

Mr. NORRIS submitted six amendments intended to be proposed by him to the bill (H. R. 408) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes, which were ordered to lie on the table and be printed.

CORRUPT PRACTICES.

Mr. GALLINGER. Mr. President, I submit an amendment to the so-called corrupt-practices bill (H. R. 15842), which I ask may be read.

The amendment was read and ordered to lie on the table, as follows:

SEC. —. That a joint congressional committee is hereby created, consisting of five Senators, to be appointed by the President of the Senate, and five Representatives, to be appointed by the Speaker of the House of Representatives, whose duty it shall be to make thorough inquiry into the laws governing the elections in the several States of the Union, with a view to ascertaining whether in any State the right of citizens of the United States to vote is denied or abridged in violation of the terms of the fourteenth amendment of the Constitution, and if it shall be found that representations in the Electoral College and the National House of Representatives is enlarged through such denial or abridgment the committee shall then recommend to Congress such legislation as will reduce the representation in said State or States, as provided by the fourteenth amendment. Said joint committee shall also take into consideration all conditions under which the suffrage is exercised, denied, or abridged, no less than the laws themselves under which it is done, and it shall report its conclusions to the Congress not later than December 8, 1917.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES submitted an amendment providing that hereafter all proceedings for the opening, extension, widening, or straightening of alleys and minor streets for the establishment of building lines in the District of Columbia the jury of condemnation shall not be restricted to the assessment area, etc., intended to be proposed by him to the District of Columbia appropriation bill (H. R. 19119), which was referred to the Committee on the District of Columbia and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for horticultural investigation, etc., from \$62,740 to \$65,240, intended to be proposed by him to the Agricultural appropriation bill (H. R. 19359), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. TOWNSEND submitted an amendment proposing to appropriate \$10,000 for collecting and compiling statistics on the production of lumber, laths, shingles, pulpwood, and other forest products, intended to be proposed by him to the Agricultural appropriation bill (H. R. 19359), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. MYERS submitted an amendment proposing to appropriate \$20,000 to enable the Secretary of Agriculture to examine into the extent and conditions of the practice of experimentation on living animals in laboratories for research, etc., intended to be proposed by him to the Agricultural appropriation bill (H. R. 19359), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. CHILTON submitted an amendment authorizing the President to appoint First Lieut. Howard F. Wehrle, National Guard of West Virginia, a second lieutenant in the Army, etc., intended to be proposed by him to the Army appropriation bill, which was ordered to be printed and, with the accompanying papers, referred to the Committee on Military Affairs.

EMBARGO ON FOOD PRODUCTS.

Mr. McCUMBER. I submit a resolution and ask that it be read and lie on the table.

The resolution (S. Res. 316) was read and ordered to lie on the table, as follows:

Resolved, That an embargo against the exportation of any food products or any legislation which would narrow or destroy the markets for such products, or in any other way interfere with the operation of the law of supply and demand in establishing their prices, in the face of the great increase in the price of land, labor, and every article which the food producer must purchase, would be an act of the grossest injustice to a most important portion of our population.

HEIRS OF PATRICK J. FLYNN.

Mr. HOLLIS submitted the following resolution (S. Res. 317), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Stephen Flynn, Francis Flynn, Philip Flynn, and James Flynn, sons of Patrick J. Flynn, late a conductor of elevator in the Senate Office Building, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

ELLA M. JONES.

Mr. KERN. I ask unanimous consent to call up Senate resolution 302. I will state that when the report of the committee was submitted the Senator from North Carolina [Mr. OVERMAN] made objection. I understand that after examining the precedents he will not object further. He so informed me.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Indiana?

There being no objection, the Senate proceeded to consider Senate resolution 302, which was read, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Ella M. Jones, widow of Frank G. Jones, late a private of the police force of the Senate Office Building, a sum equal to one year's salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

The PRESIDING OFFICER. The committee proposes to insert a preamble to the resolution, which will be read.

The SECRETARY. The committee recommends the insertion of a preamble, to read:

Whereas the late Frank G. Jones has served continuously as an employee of the Senate for more than 40 years: Be it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The resolution as amended was agreed to.

HOUSE BILL REFERRED.

H. R. 19937. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, was read twice by its title and referred to the Committee on Pensions.

GOVERNMENT OF PORTO RICO.

The PRESIDING OFFICER. The morning business is closed. The calendar under Rule VIII is in order.

Mr. SHAFROTH. I move that the Senate proceed to the consideration of the bill (H. R. 9533) to provide a civil government for Porto Rico, and for other purposes.

Mr. TOWNSEND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Michigan suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	McCumber	Smith, S. C.
Bankhead	Hardwick	Martine, N. J.	Smoot
Beckham	Hollis	Nelson	Sutherland
Brady	Hughes	Norris	Swanson
Brandee	James	Oliver	Thomas
Bronson	Johnson, Me.	Overman	Thompson
Chamberlain	Johnson, S. Dak.	Page	Tillman
Chilton	Jones	Polindexter	Townsend
Colt	Kenyon	Robinson	Underwood
Culberson	Kern	Shafroth	Vardaman
Fernald	Kirby	Sheppard	Wadsworth
Fletcher	Lane	Sherman	Walsh
Gallinger	Lee, Md.	Smith, Ariz.	Watson
Gronna	Lodge	Smith, Ga.	Works

Mr. OVERMAN. I wish to make the announcement that the Senator from Florida [Mr. BRYAN] is absent on official business. My colleague [Mr. SIMMONS] is absent on account of illness. I will let these announcements stand for the day.

Mr. LEE of Maryland. I have been requested to announce that the junior Senator from Missouri [Mr. REED] is detained from the Senate on account of official business.

Mr. GALLINGER. I desire to announce that the Senator from Kansas [Mr. CURTIS] is absent on official business and

that he is paired with the Senator from Georgia [Mr. HARDWICK].

The PRESIDING OFFICER. Fifty-six Senators have answered to their names. A quorum is present. The question is on the motion of the Senator from Colorado [Mr. SHAFROTH].

Mr. TOWNSEND. On that I demand the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I am paired with the senior Senator from New York [Mr. O'GORMAN], and in his absence I withhold my vote.

Mr. JAMES (when his name was called). I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS]. I transfer that pair to the senior Senator from Tennessee [Mr. LEA] and vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the junior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the senior Senator from Virginia [Mr. MARTIN] and vote "yea."

While on my feet, I desire again to announce the absence of my colleague [Mr. SIMMONS] on account of illness and the absence of the Senator from Florida [Mr. BRYAN] on account of public business.

Mr. SMITH of South Carolina (when his name was called). I desire to inquire if the junior Senator from South Dakota [Mr. STEELING] has voted?

The PRESIDING OFFICER. The Chair is informed that he has not.

Mr. SMITH of South Carolina. I have a general pair with that Senator, which I transfer to the Senator from Illinois [Mr. LEWIS] and vote "yea."

Mr. SMITH of Michigan (when his name was called). I notice that the junior Senator from Missouri [Mr. REED], with whom I have a general pair, is not in the Chamber, and I therefore withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. WALSH (when his name was called). I have a pair with the Senator from Rhode Island [Mr. LIPPITT], which I transfer to the Senator from Oklahoma [Mr. GORE] and vote "yea."

The roll call was concluded.

Mr. SWANSON. I desire to state that my colleague [Mr. MARTIN of Virginia] is detained from the Chamber on account of sickness in his family. I ask that this announcement may stand for the day.

Mr. CHAMBERLAIN. I have been requested to announce the unavoidable absence of the junior Senator from Missouri [Mr. REED].

Mr. OWEN. I transfer my pair with the Senator from New Mexico [Mr. CATRON] to the Senator from California [Mr. PHELAN] and vote "yea."

Mr. BECKHAM (after having voted in the affirmative). I transfer my pair with the senior Senator from Delaware [Mr. DU PONT] to the Senator from Florida [Mr. BRYAN] and will let my vote stand.

Mr. CHILTON. I inquire if the Senator from New Mexico [Mr. FALL] has voted?

The PRESIDING OFFICER. The Chair is informed that he has not.

Mr. CHILTON. I have a pair with that Senator, which I transfer to the Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. GALLINGER. I desire again to announce the unavoidable absence of the Senator from Kansas [Mr. CURTIS] on official business and the fact that he is paired with the junior Senator from Georgia [Mr. HARDWICK]. I am also requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Wyoming [Mr. CLARK] with the Senator from Missouri [Mr. STONE];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS]; and

The Senator from Idaho [Mr. BRADY] with the Senator from Mississippi [Mr. VARDAMAN].

Mr. COLT (after having voted in the negative). I inquire if the junior Senator from Delaware [Mr. SAULSBURY] has voted?

The PRESIDING OFFICER. The Chair is informed that he has not.

Mr. COLT. As I have a general pair with that Senator, I withdraw my vote.

Mr. CLAPP. I inquire if the senior Senator from North Carolina [Mr. SIMMONS] has voted?

The PRESIDING OFFICER. The Chair is informed that he has not.

Mr. CLAPP. I have a general pair with that Senator, which I transfer to the senior Senator from Idaho [Mr. BORAH] and vote "nay."

The result was announced—yeas 32, nays 25, as follows:

YEAS—32.

Ashurst	Hughes	Overman	Smith, Ga.
Bankhead	Husting	Owen	Smith, S. C.
Beckham	James	Pomerene	Swanson
Chamberlain	Johnson, S. Dak.	Ransdell	Thomas
Chilton	Kern	Robinson	Thompson
Culberson	Kirby	Shafroth	Tillman
Fletcher	Lane	Sheppard	Underwood
Hollis	Myers	Smith, Ariz.	Walsh

NAYS—25.

Brandegee	Jones	Norris	Townsend
Broussard	Kenyon	Oliver	Wadsworth
Clapp	Lee, Md.	Page	Watson
Fernald	Lodge	Polindexter	Works
Gronna	McCumber	Sherman	
Harding	McLean	Smoot	
Johnson, Me.	Nelson	Sutherland	

NOT VOTING—39.

Borah	Fall	Martin, Va.	Simmons
Brady	Gallinger	Martine, N. J.	Smith, Md.
Bryan	Goff	Newlands	Smith, Mich.
Catron	Gore	O'Gorman	Sterling
Clark	Hardwick	Penrose	Stone
Colt	Hitchcock	Phelan	Vardaman
Cummins	La Follette	Pittman	Warren
Curtis	Lea, Tenn.	Reed	Weeks
Dillingham	Lewis	Saulsbury	Williams
du Pont	Lippitt	Shields	

So Mr. SHAFROTH's motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9533) to provide a civil government for Porto Rico, and for other purposes.

Mr. SHAFROTH. Mr. President, I wish to make a brief explanation concerning this bill, and thus avoid the necessity of having it read in full.

Mr. SMOOT. Mr. President, I will ask the Senator if the bill has been read?

Mr. SHAFROTH. I do not know whether it has or not. I think not, however.

Mr. SMOOT. Then, Mr. President, if the bill has not been read, would it not be well to have it read now?

Mr. SHAFROTH. I thought we could have it read for amendment. Of course, it has to be read; but I have only an hour and 20 minutes, and I should like to make some headway. If the bill is read, we shall accomplish nothing whatever, because the bill contains 52 pages.

Mr. SMOOT. Mr. President, the bill ought to be read. If the Senator desires to speak on it first, of course, I have no objection; but I want the bill read.

Mr. SHAFROTH. I have no objection to the bill being read for committee amendments; but I should like to make a brief explanation concerning the necessity for this legislation. I do not think anybody will ask that the bill be read in full before it is read for amendment.

Mr. TOWNSEND. Mr. President, there has been no unanimous consent given to put this bill aside without reading, has there?

The PRESIDING OFFICER. No request for unanimous consent has been submitted.

Mr. SHAFROTH. I expect to ask unanimous consent after I make the explanation.

Mr. President, as everyone knows, Porto Rico came to us as a result of the Spanish-American War. There was a bill enacted, known as the Foraker bill, under which the government of Porto Rico has been operating ever since its passage in 1900. That bill was a temporary measure. It conferred no rights, as we understand them in our Bill of Rights, but simply provided for a form of government there, specifying a governor and certain insular officers, creating courts in the island, and recognizing the laws of Porto Rico as they existed at that time.

The Porto Rican people have continually insisted that there should be some changes in respect to that law. In the first place, no citizenship whatever is conferred by the Foraker Act, but persons are described as citizens of Porto Rico, and Porto Rico being in possession of the United States there ought to be a recognition of their citizenship in the United States. For many years there was a division of the parties in Porto Rico as to what should be done with relation to citizenship, some holding out for independence, others contending that they wanted citizenship in the United States. Now, the political parties in the island have changed their positions upon the citizenship question. There seems in recent years to be less opposition to citizenship on the part of Porto Rican people, so we have provided in this bill that they shall become citizens of the United

States unless they protest against it, unless they file with the court a declaration that they want to remain citizens of Porto Rico.

This bill, Mr. President, proposes to give them what is termed a bill of rights—certain rights that are usually specified in our State constitutions, and providing considerable guaranties in regard to liberty, the writ of habeas corpus, and other matters of that nature. Then there are certain limitations.

Mr. SUTHERLAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. SHAFROTH. I yield to the Senator.

Mr. SUTHERLAND. I notice in this so-called bill of rights to which the Senator has been referring the last provision on page 5:

That the right of action to recover damages for injuries resulting in death shall never be abrogated.

I want to ask the Senator whether or not the committee has given any particular consideration to that provision?

Mr. SHAFROTH. We have, as a matter of fact, gone over the bill very carefully. It has been difficult to get quorums; but we have had consideration by individual members of the committee of every one of the provisions contained in the measure. That is one of the provisions that came over from the House as a part of the House bill.

Mr. SUTHERLAND. I want to suggest to the Senator the advisability of giving some consideration to that provision. There is such a provision in several of the State constitutions of the United States, and it has been found exceedingly embarrassing when the States have undertaken to provide workmen's compensation laws. I suggest to the Senator the advisability of considering whether, in view of that fact, that particular provision should not be omitted from the bill of rights.

Mr. SHAFROTH. Mr. President, I hope the Senator will defer that matter until we come to offering amendments, and then upon his offering such an amendment we can take it up and consider it.

Mr. SUTHERLAND. I am calling attention to it now, because I think it is a matter which the committee itself should consider.

Mr. SHAFROTH. All right. At the proper time we will consider it; but I want to give a general summary of the bill so that we shall have a general idea of it without going into the particular details, as I want to ask unanimous consent that the reading of the bill, in the first instance, in full shall be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. GRONNA. Mr. President, I shall object to that.

Mr. BROUSSARD. Mr. President—

Mr. SHAFROTH. I am not asking that yet. I have said that I wished to make this statement, and then I shall make the request.

Mr. President, the citizenship which is provided in this bill is what is called a collective citizenship, declaring all persons to be citizens unless they object to it and file with the court a declaration that they desire to remain citizens of Porto Rico. As to citizenship, there has been some inquiry as to the character of the people constituting the inhabitants of Porto Rico; and I have here a statement, compiled from the census of 1910, which gives the total of population and of the races.

The total population of Porto Rico is 1,118,012. The number of whites is 732,555. The number of mulattoes is 335,192, and the number of blacks 50,245. This becomes pertinent in view of the provision which we have adopted in the bill concerning those who can vote. This statement says:

It may be pertinent to add that 79.9 per cent of the population of Porto Rico live on farms or are a rural population, and of this number nearly 80 per cent are white; the 1910 figures being 610,541 whites, as against 288,841 colored.

Mr. President, under the present law we have provided that the revenues collected in Porto Rico shall belong to the government of Porto Rico. We also provide in this bill for the turning over of property—not the title but possession of the property of the United States—to the Porto Rican government, and provide that the Porto Rican government shall turn over to the United States certain properties which are needed by the United States Government. We simply transfer whatever property of the United States it does not desire for its own use to the control of the government of Porto Rico, but we do not give the title thereto. The bill also provides that the laws of the United States not locally inapplicable shall apply, except the internal-revenue laws of the United States; and as to those, the internal revenues are to go to Porto Rico for the maintenance of their government.

We also provide that all officials and voters must be United States citizens; and we extend the suffrage to those who can read and write the Spanish or the English language, or who

shall pay a property tax of \$3 a year, or for 10 years those who have voted at the last general election in Porto Rico.

Mr. LANE. Mr. President, I should like to ask the Senator a question. Have you a property qualification for voters?

Mr. SHAFROTH. No; it is an alternative one.

Mr. LANE. It amounts to the same thing, does it not?

Mr. SHAFROTH. Oh, no; it does not amount to the same thing.

Mr. SMITH of Georgia. If he has the property, he can vote; or if he has the educational qualifications.

Mr. SHAFROTH. Yes; if he has the property he can vote, or if he has the education he can vote; or—this being a matter we have had considerable discussion over—if a man voted at the last general election down there, then he is entitled to vote for at least 10 years at all elections.

Mr. LANE. Mr. President, if the Senator will allow me, I have heard a great deal of criticism from some quarters with regard to that provision—that the bill contains a property qualification which excludes hundreds upon hundreds of worthy citizens who are impecunious, who work for their living—working-men.

Mr. SHAFROTH. It excludes none of them if they can read and write.

Mr. LANE. Well, that would exclude a very great many good people from voting.

Mr. SHAFROTH. It does not exclude for 10 years anybody who has voted, and the general right to vote has existed in Porto Rico for years and years. They poll an enormous vote, considering the population—two hundred and some odd thousand voters.

Mr. LANE. But it does exclude a number of thousands of active, honest, industrious workmen in that country, does it not?

Mr. SHAFROTH. No, sir.

Mr. LANE. That is what I have understood.

Mr. SHAFROTH. There was a contention in the committee that the property qualification or the educational qualification should apply to everyone, just as it applies to all in the Philippines. Objection was made that these people had been voting for years, even under Spanish rule, having fully as large a voting population in proportion to the total population as the United States has, and therefore its limitation would be a great disappointment to them. I proposed an amendment which provided that they should all be entitled to vote as long as they live.

Mr. LANE. Well, Mr. President—

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Colorado yield to the Senator from Oregon?

Mr. SHAFROTH. Let me finish, please. The other members or some members of the committee objected to that; and so as a compromise we agreed to allow those people who had been voting, and who constituted practically all the voting population of the Territory, to vote for 10 years, so as to give them an opportunity to prepare to become sufficiently educated to vote. That is the situation as it stands to-day, and there may be an amendment offered to give them full right to vote, just as they have been doing.

Mr. LANE. I will ask the Senator, then, if he would be willing to accept an amendment to that effect?

Mr. SHAFROTH. That was my suggestion. If I am not bound by my compromise, I should be perfectly willing to agree to that, because I think it is right; but that will come up later.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. SHAFROTH. I yield to the Senator.

Mr. GALLINGER. Did I understand the Senator to say that the right was granted for 10 years, so that they may qualify themselves to vote?

Mr. SHAFROTH. So that they may come within the educational qualification. There are a great many persons in Porto Rico who can not read or write, and this bill as it is now framed gives the right to vote to those who can read and write, and preserves to those who have been voting, whether they can read and write or not, the right to vote for 10 years, so that in 10 years they can educate themselves sufficiently to read and write.

Mr. GALLINGER. They are pretty slow people if it takes them 10 years to learn to read and write.

Mr. SHAFROTH. That may be. Nevertheless, there are other people who are contending, just like the Senator from Oregon [Mr. LANE], that they ought to vote continually because they have had that right under Spanish rule and under American rule up to this time.

Mr. GALLINGER. One other question. Did I understand the Senator to say that in the educational test they must be

able to read and write either the English or the Spanish language?

Mr. SHAFROTH. Yes, sir.

Mr. GALLINGER. Why not extend it to all other languages, as we do in the immigration bill?

Mr. SHAFROTH. The reason for that is that most of these people are Spanish, and that is the only language spoken there outside of the English language, which we are introducing into the island. Our schools are conducted in English.

Mr. GALLINGER. I have no disposition to press that matter at all. It struck me, however, that it was rather restrictive.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Massachusetts?

Mr. SHAFROTH. I do.

Mr. LODGE. Just for information, if the Senator will allow me, the amendment of the Senator from Oregon, which I understood the Senator to accept—

Mr. SHAFROTH. No; I have not fully accepted that amendment. I stated that if the other members of the committee would agree to it, I would accept it. That provision was in the bill as I originally introduced it, namely, that those persons who had been voting at the elections under both Spanish rule and the rule of the United States should continue to have that right.

Mr. LODGE. The purpose of the amendment is what I want to find out. The purpose is to make sure that all the illiterates vote?

Mr. SHAFROTH. The object of the amendment is not to take away a right which they have had and which they have exercised ever since Porto Rico has been a possession of the United States or of Spain.

Mr. JOHNSON of South Dakota and Mr. POMERENE addressed the Chair.

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Colorado yield; and if so, to whom?

Mr. SHAFROTH. I yield to the Senator from South Dakota.

Mr. JOHNSON of South Dakota. I desire to ask whether this qualification would apply to anyone who had voted, for instance, just once, or whether it must apply to a longer term?

Mr. SHAFROTH. The bill as it was introduced by me applied to those who had voted at the last general election, at which there was a very large vote, and which gave the right to those persons to vote in the future, intending to recognize those who had voted. There was a registration list made, and it was an election at which no fraud was charged. Consequently, we adopted that as a basis in the first instance; but the committee changed that and made this other rule. If an amendment is offered, that will come up at the time the amendment is offered. I now yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, the Senator made a statement awhile ago, if I understood him correctly, to the effect that these people were required to be able to read and write in the Spanish language or in the English language as one qualification for voting. Section 35 of the bill I have before me provides:

That no person shall be allowed to register as a voter or to vote in Porto Rico unless he is a citizen of the United States, over 21 years of age, and is able to read and write—

And so forth.

Mr. SHAFROTH. Yes.

Mr. POMERENE. But it does not limit it to the English language or to the Spanish language.

Mr. SHAFROTH. That may be; but I suppose it was because they all speak those languages and hardly any others. It may be that the Senator is correct in regard to that matter.

Mr. POMERENE. May I ask the Senator a further question? You have here both the qualifications of reading and writing and the property qualification. If it is right to have a property qualification, why not have it apply to everybody?

Mr. SHAFROTH. It is not intended to apply to those people who can read or write nor to the people who have voted.

Mr. POMERENE. Does the Senator really think there should be a property qualification?

Mr. SHAFROTH. No; I do not think of necessity there should be; but some people may not be able to read or write and yet have property who would be in a better position to exercise good judgment perhaps, and they ought not to be excluded.

Mr. POMERENE. Many of our own States do not have any property qualification.

Mr. SHAFROTH. Certainly; that is true.

Mr. POMERENE. Not even requiring the payment of a poll tax.

Mr. SHAFROTH. Yes.

Mr. POMERENE. Why should you be more drastic in your qualification of electors in these islands than we are in the United States?

Mr. SHAFROTH. I want to say this to the Senator, that the bill came over from the House in that way, and we did not want to make any more changes than were absolutely necessary. It can come up, and will come up no doubt, on a motion to change that provision.

Mr. POMERENE. Another matter that has interested me very much is why you should want to give the right to vote to these people at all, in view of what occurred here in the Senate a few days ago concerning the people of the District of Columbia. Why should we be interested in giving them the right to vote and deny the people of the District of Columbia the right to vote?

Mr. SHAFROTH. That involves an entirely different proposition. These people have been exercising the right to vote for years and years and the people of the District of Columbia have not exercised that right.

Mr. SMITH of Georgia. If the Senator will allow me, Porto Rico has not been set apart as the seat of government of the United States.

Mr. POMERENE. No; but—

Mr. SHAFROTH. Mr. President, I do not want to go into that discussion.

Mr. POMERENE. If I may add just one observation, we have full legislative control over Porto Rico just as we have over the District of Columbia.

Mr. SMITH of Georgia. That is true, and we have over Alaska.

Mr. POMERENE. Yes.

Mr. SHAFROTH. Now, Mr. President, we have created in the bill the office of governor and prescribed certain duties and powers that he should exercise, among which is the veto power. We have created what is called an executive council, which consists of the attorney general, the treasurer, the commissioner of the interior, the commissioner of education, and the commissioner of agriculture and labor. These are practically members of the cabinet of the governor. We have also created a senate elective by the people.

Mr. KENYON. I should like to ask the Senator if he will be kind enough in giving a matter of that kind to refer to the sections, if it is not too much bother.

Mr. SHAFROTH. I do not know that I can do so; I have just summarized without having the bill before me. Section 12 begins with the executive department, the governor. Section 13 relates to the executive department, naming the commissioners with the heads of the departments who constitute the council. Then we have section 14 giving the duties of the attorney general; section 15 giving the duties of the treasurer; section 16, of the commissioner of the interior; section 17, of the commissioner of education. Then we have an auditor created in section 20, which is a necessary provision. Then there are appeals provided from the auditor in section 21. Then there is an executive secretary created in section 22, and certain heads of departments to act as governor under certain conditions and circumstances. Then comes the legislative department.

Porto Rico has now a legislature which is an elective body, and has the power to pass all the laws; but the executive council as now constituted has the right to reject the laws, and those officers in the executive council are officers appointed by the President. Consequently the people of Porto Rico have not that full degree of self-government which we think they are entitled to have. This bill provides that there shall be an elective senate. It provides that there shall be created a certain number of districts—seven districts—each to have two senators. Then there are five senators to be elected at large, and they are to hold their term for four years. The house is to consist of 39 members, 35 of whom are elected from districts and 4 of whom are elected at large in the possession. The veto power is given. It takes two-thirds to override the veto of the governor, but in certain circumstances, if the veto is made and it is overridden, still it can be referred to the President who, if he desires to act, has an absolute veto.

Mr. KENYON. Mr. President—

Mr. SHAFROTH. I yield to the Senator.

Mr. KENYON. I notice the bill provides a property qualification for membership of the Senate.

Mr. SHAFROTH. Yes, sir.

Mr. KENYON. And also an amendment by the committee reads "assessed in his name and upon which he pays taxes." What is the purpose of having a property qualification for membership?

Mr. SHAFROTH. That is a provision of the bill as it came over from the House, and we did not like to make any more changes than were necessary. That will be discussed no doubt upon a question to change or modify it by Senators who, of course, will exercise their individual judgment as to which is the best mode of procedure and which rule should prevail.

There are certain limitations also provided against any person in the legislature being appointed to office, and then it is provided that the Resident Commissioner shall be elected; and I want to say to the Senate—

Mr. BORAH. Mr. President—

Mr. SHAFROTH. Just a moment. One of the urgent reasons for the passage of this bill is that the recent Resident Commissioner to the Congress of the United States from Porto Rico died in November last, and they have no representative here to look after their own affairs; and it is hoped the bill will be passed so that a new Resident Commissioner can be elected. I yield to the Senator from Idaho.

Mr. BORAH. Would the Senator in charge of the bill have any particular objection to striking out the words "and in addition thereto there shall be elected 5 senators at large," so that there would be 14 senators, 2 from each district?

Mr. SHAFROTH. Mr. President, we went over that pretty carefully, and we thought that there should be elected some senators at large. Of course, we do not want to have a long discussion on these matters, but at the same time I believe it is a good provision. The senators at large are supposed to represent some cities more particularly that would not perhaps be able to get a representative there. It is a very small minority. It is supposed that they could get a minority representation there, because it will be observed that that provision is intended to give a minority representation. The method of voting for senators at large is that the electors shall vote for only one candidate, and the five receiving the highest number of votes are declared elected.

There is great complaint made that while a minority may be very large and very important sometimes, by means of direct voting for groups of candidates, the minority is denied all representation. With these five senators and four representatives, it is presumed by the system we have recommended there will be a respectable minority party, and that they can get at least one representative in the senate and one in the legislature. Now I call attention to the wording of the provision:

In electing the five senators at large each elector shall be permitted to vote for but one candidate, and the five candidates receiving the largest number of votes shall be declared elected.

Mr. LANE. From what page does the Senator read?

Mr. SHAFROTH. From page 23.

Mr. BORAH. I am not going to detain the Senator now, but at the proper time I am going to move to strike that out, in the interest of economy and simplicity of government.

Mr. SHAFROTH. I have no objection to its being considered at the proper time, but I want to get through with the statement I have to make.

Mr. President, there is also a public-service commission that is elected, by which certain powers are given them in regard to regulating utility companies, giving them certain powers to enforce rates, which we think is in accordance with the laws of almost all the States of the Union.

Then we provide a judicial department, a supreme court appointed by the President of the United States and confirmed by the Senate of the United States, just as the Supreme Court of the Philippines and the Supreme Court of the Hawaiian Islands are appointed; also the appointment of a United States district judge, whose term of office shall be four years.

Mr. GALLINGER. Will the Senator permit me?

Mr. SHAFROTH. I yield.

Mr. GALLINGER. The Senator has called attention to the two branches of the legislature. I notice in section 33 there is a provision that the governor may call special sessions of the legislature or of the senate, and subsequent to that it speaks of the senate being called in special session. Is it intended that the senate shall legislate without reference to the other branch?

Mr. SHAFROTH. No; but there are certain appointments by the governor which must be confirmed, and it is thought that there is no necessity to call the entire legislature together for the purpose of getting the senate to act on confirmations. For that reason that power is given.

Mr. GALLINGER. That is the purpose of it?

Mr. SHAFROTH. Yes, sir; that is the purpose of it.

Mr. GALLINGER. If the Senator will permit me again, I notice a recent act was passed that had an incongruity in it as to the date. Has the Senator noticed that section 29 provides that

"the next election in Porto Rico shall be held in the year 1916"? That ought to be changed, of course.

Mr. SHAFROTH. The bill was considered in the first instance when certain dates would have applied and now the dates do not apply. I am going to offer some amendments with relation to those dates so as to make the bill operative.

Mr. GALLINGER. That is why I called the Senator's attention to the necessity of amending it.

Mr. SHAFROTH. The salaries of officers are fixed as practically they are now. The salary of the governor is \$8,000 a year; of judges of the supreme court, \$5,500 a year; of the chief justice, \$6,500; of the executive officers, \$5,000. Those salaries about conform to the salaries given in the various States of the Union.

Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. BROUSSARD. I should like to ask the Senator what is his disposition with regard to the amendment which I have pending here to section 40 of the bill, whether the chairman of the committee is willing to accept the amendment tendered on the floor or whether it is his disposition to oppose the amendment. I do that because I am as much in favor of the passage of this bill as the chairman of the committee, but I do not believe the bill should pass without this amendment being included within it.

Mr. SHAFROTH. I will state, in that connection, that at first I was somewhat favorable to the amendment that was offered, but I can not find that we should change the system as the Senator has proposed it in his amendment. His amendment relates to the forfeiture of certain lands in excess of 500 acres and provides that that forfeiture shall be made to the Government of Porto Rico. A law was passed which limited the amount of land which corporations could own to 500 acres. I believe that ought to be extended and enlarged. I do not believe that forfeitures should be made to vest these lands in the Territory of Porto Rico, because these companies have bought and paid for the land, and if there is any provision contained in the bill with relation to it it ought, it seems to me, to be a provision that the Attorney General shall begin a suit to compel them to sell the land within a certain time, so that there will not be the loss of the large sums of money which they have invested. It seems to me that is a more equitable way of getting rid of excessive ownership in corporations.

I presume that the amendment applies to the sugar lands more particularly, those being about the only corporations that own any great quantity of land there.

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. SHAFROTH. I yield.

Mr. SMOOT. I desire to say to the Senator from Louisiana that his amendment can not be accepted by unanimous consent. I have been informed that there are Senators who are opposed to the amendment to be offered by the Senator and that when it is offered they will desire to discuss the matter.

Mr. BROUSSARD. In that event, Mr. President, I shall have to object to the request for unanimous consent and ask for the reading of the bill and the report.

The PRESIDING OFFICER. The Senator from Louisiana objects, and the bill will be read.

Mr. BROUSSARD. I wish to state that I do not want to delay the passage of the bill if it can be helped, but I have been ill and since my return I have been trying to get the committee together to consider the proposition to which the Senator from Colorado refers. The fact of the matter is that there is a law on the statute books now. It is the law now that the holding of property in the island is limited to 500 acres. The act of 1900 fixed that limitation upon landowning in Porto Rico. In the draft of this bill, though I have been very diligent in attending the committee every day that it held its sessions up to the time I became sick, it never occurred to me to look into the matter to see whether that law was included in the bill or not, and it was only after the committee had reported the bill that I ascertained that a section of that law, a portion of the act of 1900, had not been included in the bill; in fact, that the section limiting the ownership of land in the island had been omitted from the bill.

I immediately appealed to the chairman of the committee to get the committee together that we might thrash out this matter, and if the limit of the holdings there was too limited for the proper development of the agricultural lands of the island we could extend in the bill the right to own more than the limitation fixed in the act of 1900. I have never been able to get an opportunity to present the matter to the committee, and I can not consent to considering the bill merely in the morning hour

for the reason I believe this matter is too important to permit the bill to be considered in a hasty way with this omission of the limitations of the act of 1900.

I make this statement in justice to myself, because the statement of the Senator would create possibly the impression in the minds of Senators that this is a new proposition. It is not a new proposition. The act of May 1, 1900, section 3, is reproduced in the bill under consideration as section 39. The first part of it with some little alterations in order to adapt the law to the commission that is created in the bill is the same as the act of 1900. But the moment you reach the part limiting the holding of lands by individuals or corporations in Porto Rico the matter is dropped, and there is not a word in the proposed law which in effect in my judgment would repeal the old law placing that limitation. The old law says:

No corporation shall be authorized to conduct the business of buying and selling real estate or be permitted to hold or own real estate, except such as may be reasonably necessary to enable it to carry out the purposes for which it was created, and every corporation hereafter authorized to engage in agriculture shall by its charter be restricted to the ownership and control of not to exceed 500 acres of land; and this provision shall be held to prevent any member of a corporation engaged in agriculture from being in any wise interested in any other corporation engaged in agriculture. Corporations, however, may loan funds upon real estate security, and purchase real estate when necessary for the collection of loans, but they shall dispose of real estate so obtained within five years after receiving the title. Corporations not organized in Porto Rico and doing business therein shall be bound by the provisions of this section so far as they are applicable.

Mr. President, it is clear to me that if this law has been maintained in Porto Rico there is no harm at all in reenacting this portion of the law, as the first part of that law is proposed to be reenacted in the bill under consideration. If there has been a violation of the statute, it is clear that it is the duty of Congress to maintain the integrity of its own legislation.

Mr. SHAFROTH and Mr. BORAH addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Colorado?

Mr. BROUSSARD. Yes, sir.

Mr. SHAFROTH. I want to say just a word with relation to the statement which has just been made. The language which is in the bill at the present time is the identical language which was contained in the bill as it came from the House of Representatives. When the Senator from Louisiana, who has been one of the diligent members of the committee and has appeared almost every time when we have considered this bill, suggested to me that there had been an omission in that respect I immediately thought that there ought to be some remedy for it; but I find upon examining the matter that the language to which he refers is not repealed. I find that there is a provision in the bill itself that keeps alive those matters. Section 59 provides:

SEC. 59. That all laws or parts of laws applicable to Porto Rico not in conflict with any of the provisions of this act, including the laws relating to tariffs, customs, and duties on importations into Porto Rico prescribed by the act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, are hereby continued in effect, and all laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

I am perfectly willing, when that matter is reached in the consideration of the bill, to have it amended in some particulars, but not to the extent of the stringent provisions which are contained in the Senator's amendment. I believe that the ownership of a certain quantity of land should be allowed; that it ought not to be limited to 500 acres. We have a limitation in the Philippine Islands of 2,640 acres; perhaps that is a little too much for Porto Rico; but I believe they should have a fair quantity of land there on which to raise sugar cane. That seems to me to be quite just and right. We have no limitation on the quantity of sugar-beet land that may be owned by a corporation in Colorado; there is no limitation whatever as to the quantity of land that can be used for the raising of sugar cane in Louisiana; and to fix the limit in this case at 500 acres, which is an insufficient quantity of land to enable a company to raise sugar cane, which they might desire to raise or which they ought to have, seems to me would be an improper restriction.

I am willing to meet the Senator from Louisiana in some way and to adjust these matters in a fair manner, but I am not willing to accept his amendment in its present shape, because I think it is too drastic.

Another objection is that the Senator's proposal embodies the idea that there shall be forfeited to Porto Rico all lands which have been bought in excess of 500 acres. There was no penalty attached to the act in regard to the limitation of 500 acres. Those who acquired the lands have paid full value for them. I do not know how large are the areas they have, but I do not think there are any very large plantations down there. However, I repeat, whatever they have they have paid full value for. So I want to suggest to the Senator that instead

-of providing that the lands be forfeited to Porto Rico, by which the owners would lose them absolutely, they be required to dispose of those lands so as to get them in individual ownership, in order that the evils that might result from excessive holdings of real estate may be avoided, without the severe penalty of forfeiture to the Porto Rican government being inflicted. I now yield to the Senator from Idaho.

Mr. BORAH. Mr. President, the Senator has answered the question which I was going to ask. I simply wanted to know the particular point which the Senator from Louisiana was urging. I understand it now.

Mr. SHAFROTH. I will ask the Secretary to proceed with the reading of the bill.

Mr. MARTINE of New Jersey. Mr. President—

Mr. SHAFROTH. I yield to the Senator from New Jersey.

Mr. MARTINE of New Jersey. I have received some little correspondence regarding this measure, and I have here a statement submitted by one Santiago Inglesian, of Porto Rico, which I should like to have read. I am impressed with the thought that some of the provisions of the bill proposed by the Senator are utterly in contradiction with the genius and the spirit of American institutions. I can not see with what good grace we can stand up and pass a law providing that a senator or a member of the lower house of the Assembly of Porto Rico shall own in the case of a senator property worth no less than \$1,000 and in the case of a representative property worth no less than \$500. I can not see with what grace that is done.

Mr. SHAFROTH. I hope the Senator will defer that point until we reach that part of the bill, which evidently it is manifest can not be reached to-day.

Mr. MARTINE of New Jersey. It seems to me a matter of such importance that it ought to be given careful consideration.

Mr. SHAFROTH. I will say to the Senator that the provision in regard to the qualification of members of the legislature is about the same, I think, as that which is contained in the Philippine bill, which we have passed; but I, too, think it should have careful consideration.

Mr. MARTINE of New Jersey. That may be, but two wrongs do not make a right. I think that is a manifest wrong and utterly opposed to our democratic ideas and our democratic institutions. However, I will retain this letter and bring the matter up at some future time and shall then ask to have the letter read.

Mr. FLETCHER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Florida?

Mr. SHAFROTH. I yield to the Senator from Florida.

Mr. FLETCHER. With reference to the matter mentioned by the Senator from Louisiana [Mr. BROUSSARD] and the Senator from Colorado [Mr. SHAFROTH], I wish to say that section 39 of the bill seems to me to refer to grants, franchises, and privileges, and I do not see that it covers the subject which the Senator from Louisiana mentions; neither does section 40, which has reference to the head tax. I should like to inquire what section really the Senator refers to?

Mr. BROUSSARD. Mr. President, with the permission of the Senator, I can state in a moment just where reference is made to this amendment. Section 39 of the pending bill is the same as section 40 of the act of May 1, 1900, with this exception, that half of that act has been omitted in the present bill, and my amendment is to reinsert that half.

While on this subject, if the Senator from Colorado will permit me, Mr. President, the very statement made by the Senator shows the necessity of the committee taking cognizance of and discussing the amendment which I have here. That matter should be, in my judgment, thrashed out by the committee. I am not in disaccord with the Senator, as I have stated to him heretofore, as to the limitations fixed in the present law. It is possible that we can reach a better adjustment than that fixed in the law, but it is impossible, in my judgment, to take up the matter on the floor of the Senate and reach a fair conclusion as to what limitations shall be placed upon the holding of land in Porto Rico. So, in default of having had opportunity for the committee to consider it, I have been compelled to bring the matter to the attention of the Senate by simply repeating in my amendment the present wording of the law.

The fact is, Mr. President, that this is a most important thing for the peace, the quiet, and the prosperity of that island. The omission of this limitation, if this bill is permitted to be passed without any restrictions, means that there will be a foreign land-owning class; that the island will be owned by men not residing in the island. There will be a repetition of conditions that have existed in other parts of the world, where one people have undertaken to govern another people. It will mean the absorption of every acre of land in the island by large corpora-

tions with large means, and that the population of that island will be working for day wages. It will be a repetition in Porto Rico of what is transpiring in Mexico to-day; and unless there is a restriction, these lands will be absorbed by large corporations and will be owned by foreign landlords, thus bringing about a condition of absentee landlordism there, and there never will be quiet in the island unless some restrictions are placed upon the holding of lands.

Mr. SHAFROTH. Mr. President, I will say to the Senator that I am in favor of a limitation, and I am perfectly willing, if we do not finish the bill this morning, to call the committee together for the purpose of discussing this very proposition.

Mr. BROUSSARD. That is what I have been and am trying to have done.

Mr. SHAFROTH. But I want to make some headway now, and I ask that the reading of the bill be proceeded with.

Mr. GRONNA. Mr. President, in connection with the Senator's statement I should like to ask him to state briefly why the amendment proposed by me was not included in the bill? I refer to the prohibition amendment, the adoption of which was urged by representatives from Porto Rico who appeared before the committee.

Mr. SHAFROTH. I will state to the Senator that that provision was not put on the bill by the committee, as there were certain protests against it that were filed by the Legislature of Porto Rico and by various other bodies; but when the time comes to present amendments, of course the Senator can offer his amendment. I now ask that the reading of the bill be proceeded with.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary resumed the reading of the bill and proceeded to state an amendment, on page 11, line 11.

Mr. GRONNA. Mr. President, as I understand, this is the first reading of the bill. It is not now being read for amendment.

The PRESIDING OFFICER. A request has not been made to dispense with the first reading of the bill. The Secretary will read the bill.

The Secretary resumed the reading of the bill.

Mr. JONES. Mr. President, I hope the Secretary will not read quite so fast. We can not get the connection.

The reading of the bill was resumed.

CONFERENCE REPORT.

Mr. SMITH of South Carolina. I present the conference report on the immigration bill, and ask that it be read.

The PRESIDING OFFICER. The report will be read.

The Secretary read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 10384, "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 6, 7, and 35.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 29, 30, 31, 33, 34, 36, 37, and 38, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter proposed insert the following: "unless otherwise provided for by existing treaties, persons who are natives of islands not possessed by the United States adjacent to the Continent of Asia, situate south of the twentieth parallel latitude north, west of the one hundred and sixtieth meridian of longitude east from Greenwich, and north of the tenth parallel of latitude south, or who are natives of any country, province, or dependency situate on the Continent of Asia west of the one hundred and tenth meridian of longitude east from Greenwich and east of the fiftieth meridian of longitude east from Greenwich and south of the fiftieth parallel of latitude north, except that portion of said territory situate between the fiftieth and the sixty-fourth meridians of longitude east from Greenwich and the twenty-fourth and thirty-eighth parallels of latitude north, and no alien now in any way excluded from or prevented from entering the United States shall be admitted to the United States"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with

an amendment as follows: In lieu of the matter proposed to be stricken out insert the following:

"SEC. 11a. That the Secretary of Labor is hereby authorized and directed to enter into negotiations, through the Department of State, with countries vessels of which bring aliens to the United States, with a view to detaining inspectors and matrons of the United States Immigration Service for duty on vessels carrying immigrant or emigrant passengers between foreign ports and ports of the United States. When such inspectors and matrons are detailed for said duty they shall remain in that part of the vessel where immigrant passengers are carried; and it shall be their duty to observe such passengers during the voyage and report to the immigration authorities in charge at the port of landing any information of value in determining the admissibility of such passengers that may have become known to them during the voyage."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter proposed insert the following:

"All aliens coming to the United States shall be required to state under oath the purposes for which they come, the length of time they intend to remain in the United States, whether or not they intend to abide in the United States permanently and become citizens thereof, and such other items of information regarding themselves as will aid the immigration officials in determining whether they belong to any of the excluded classes enumerated in section 3 hereof."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "taken up his permanent residence in this country"; and the Senate agree to the same.

E. D. SMITH,
THOMAS W. HARDWICK,
H. C. LODGE,

Managers on the part of the Senate.

JOHN L. BURNETT,
E. A. HAYES,

Managers on the part of the House.

Mr. SMITH of South Carolina. There was a little difference between the two Houses as to the date when the act should take effect. The House of Representatives ruled that where there was one date fixed by the House and another date fixed by the Senate the date had to be fixed in between the two and that the conferees could not go beyond the ultimate date fixed by the Senate. That was the only matter in conference. The correction has been made, and the conferees have agreed; and I ask unanimous consent for the immediate consideration of the report.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

Mr. MARTINE of New Jersey. Mr. President, I think I shall have to object to the consideration of the conference report.

Mr. SMITH of South Carolina. If the Senator from New Jersey will allow me, the only point at issue was the change of the date when the law shall go into effect. There was nothing else at all in conference. It has already been agreed to in the House, and I hope the Senator from New Jersey will not delay the adoption of the report.

Mr. MARTINE of New Jersey. I am utterly opposed to the bill. My attention was called some hours ago to the fact of this little irregularity, and I feel that consistently with my judgment and position on the immigration bill I can not acquiesce.

Mr. SMITH of South Carolina. Then, Mr. President, I ask that the conference report be taken up for consideration, notwithstanding the objection.

The PRESIDING OFFICER. Let the Secretary read Rule XXVII.

The Secretary read as follows:

Rule XXVII. The presentation of reports of committees of conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing; and when received the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

Mr. MARTINE of New Jersey. All right.

Mr. SMITH of South Carolina. Mr. President, I move that the Senate proceed to the consideration of the conference report.

Mr. GRONNA. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from North Dakota suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Norris	Sutherland
Borah	Harding	Oliver	Swanson
Brandegee	Hollis	Page	Thomas
Bryan	Husting	Pittman	Thompson
Chamberlain	James	Polk	Tillman
Chilton	Johnson, Me.	Ransdell	Townsend
Clapp	Johnson, S. Dak.	Shafroth	Wadsworth
Colt	Jones	Sheppard	Walsh
Culberson	Kenyon	Smith, Ga.	Watson
Cummins	Lane	Smith, Mich.	Williams
Curtis	McCumber	Smoot, S. C.	Works
du Pont	Martine, N. J.	Smoot	
Fletcher	Myers	Sterling	
Gallinger	Newlands	Stone	

The PRESIDING OFFICER. Fifty-three Senators have answered to their names. A quorum is present. The question is on the motion of the Senator from South Carolina that the Senate proceed to the consideration of the conference report on the immigration bill.

The motion was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

GOVERNMENT OF PORTO RICO.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9533) to provide a civil government for Porto Rico, and for other purposes.

Mr. MARTINE of New Jersey. Mr. President, at this time I have no desire to interfere with the further reading of the Porto Rican bill. I have here a document with reference to Porto Rico I desire to offer without reading and ask to have it printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. Mr. President—

Mr. GALLINGER. Mr. President, if these are remarks that the Senator himself proposes to make, there is objection, because it is contrary to all the rules of the Senate.

The PRESIDING OFFICER. The Chair was just asking. Is there objection to including in the RECORD certain matter presented by the Senator from New Jersey?

Mr. SMOOT. I want to know what it is, Mr. President.

The PRESIDING OFFICER. Let the matter be read.

Mr. SMOOT. No; I do not want it read. I want the Senator to state it.

Mr. MARTINE of New Jersey. I do not want to burden the Senate with it, but it is apropos of the bill that is before us. I only asked that it might go into the RECORD to save time. However, I will withhold it until some other time.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed, and the Secretary read to line 8 on page 19.

WATER-POWER DEVELOPMENT.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business of the Senate, which is House bill 408.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 408) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes.

Mr. THOMAS resumed the speech begun by him yesterday. After having spoken, with interruptions, for three hours,

Mr. SMOOT. Mr. President, it is now 5 o'clock on Saturday afternoon, and I should like to ask the Senator having the bill in charge if there is going to be an executive session?

Mr. CHILTON. We want to have an executive session.

Mr. MYERS. I am told that an executive session is desired; yes. I am informed by some of the Senators who want an executive session that it will last only about 10 minutes.

Mr. SMOOT. In view of the fact that it is 5 o'clock on Saturday afternoon and that we have been in session five hours today, does not the Senator think we might go into executive session at this time?

Mr. MYERS. It seems to me, Mr. President, that we might run till half past 5, anyway. I am told that the executive session will take only 10 minutes.

Mr. THOMAS. Let me run until half past 5, and have the executive session then.

Mr. MYERS. That is what I am suggesting—that the Senator from Colorado be allowed to speak until 5.30, anyway.

Mr. NORRIS. Mr. President, may I make a suggestion to the Senator, if he will yield?

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. THOMAS. Yes.

Mr. NORRIS. The kind of argument that the Senator from Colorado is making is extremely interesting; and to those of us who have stayed during the entire argument I want to say that it is as fatiguing as it is to the Senator who is making it—

Mr. THOMAS. Perhaps more so.

Mr. NORRIS. Because it is a legal argument that requires attention all the time. I think those Senators who have been out of the Chamber practically all the afternoon, and who have just come in, ought not to say to us who have been here all the time that we had better run on for an hour or so.

Mr. MYERS. I have been here nearly all the time, I will say to the Senator. I was called out for about 15 minutes at one time and 10 minutes at another.

Mr. NORRIS. I should like to hear the Senator from Colorado clear through and as long as he wishes to proceed to-day; but one can not digest an argument of this kind that is five or six hours long without having some rest.

Mr. MYERS. I ask the Senator would he object to the Senator from Colorado continuing until 5.30?

Mr. NORRIS. Of course, I realize that the Senator from Colorado has more to say about it than I.

Mr. MYERS. I ask the Senator from Colorado would he prefer to quit now or to go on until 5.30?

Mr. THOMAS. Of course, if the Senator consults my feeling and wish about it, I will state that I am pretty tired; but I have no wish to interfere with the progress of the bill to any greater degree than is necessary.

Mr. MYERS. Very well. Then, I will make a motion to proceed to the consideration of executive business.

Mr. CHILTON. I ask the Senator to yield to me to submit a report from the Committee on Naval Affairs.

Mr. MYERS. I yield for that purpose.

JOSEPH BEALE.

Mr. CHILTON. From the Committee on Naval Affairs I report back favorably without amendment the bill (S. 7742) placing Joseph Beale on the retired list of the Navy. The bill was considered by the Committee on Naval Affairs, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

Mr. SMOOT. We do not know what the bill is.

Mr. CHILTON. I was just going to state what it is.

The PRESIDING OFFICER. Does the Senator from Utah object to the present consideration of the bill?

Mr. SMOOT. I reserve the right to object.

Mr. CHILTON. I will state that the bill proposes to place on the retired list without pay or compensation Mr. Joseph Beale, a graduate at Annapolis, who served many years in the Navy and resigned from the Navy. At the beginning of the Spanish-American War he was among the first who volunteered; he served; he was honorably discharged; and he is now dying. He will die in a few days, and if the Senate wants to do anything for him it ought to be done now. It is simply a little recognition of patriotic service. There is no pay or compensation whatever involved in the bill. It merely directs the Secretary of the Navy to place Mr. Beale on the retired list. I hope the Senator from Utah will not object to its consideration.

Mr. SMOOT. Does it give him a higher grade?

Mr. CHILTON. No; there is no grade.

Mr. SMOOT. A higher grade than he occupies to-day?

Mr. CHILTON. He has no grade. He was honorably discharged.

Mr. SMOOT. By the passage of the bill will he receive compensation in any way?

Mr. CHILTON. None. The bill expressly states that he is to be placed upon the retired list without pay or compensation. It is simply an honor to a dying man.

Mr. SHAFROTH. If there be a wife, does she receive anything?

Mr. CHILTON. Nothing whatever.

Mr. SMOOT. Putting him on the retired list, his wife will be entitled to a pension.

Mr. CHILTON. She is not receiving any pension now.

Mr. SMOOT. Of course not, because her husband is living.

Mr. CHILTON. She is getting nothing.

Mr. SMOOT. That may be true, but I want to know if we pass this bill and put him on the retired list, does it give his wife a pension under the law?

Mr. CHILTON. I think not. I have no such intention as that.

Mr. SMOOT. Let the bill be read.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby directed to place Joseph Beale upon the retired list of the Navy with the highest rank which he had during his service, but without pay or compensation.

Mr. SMOOT. Of course, whatever rank he assumes by being placed upon the retired list, I suppose immediately after his death his wife will apply for a pension, but if the Senator expresses the opinion that it will not make any difference at all as to whether she shall receive a pension or not, I have no objection to the bill.

Mr. CHILTON. I do not think so. I will state frankly to the Senator that I do not know.

Mr. GALLINGER. I ask the Senator what is the meaning of the words "without pay or compensation"? Has he received no pay?

Mr. CHILTON. At no time has he received pay or compensation since his honorable discharge. It is simply an honor; that is all.

Mr. GALLINGER. It will entitle the widow to no higher pension because of that fact?

Mr. CHILTON. Oh, no.

Mr. GALLINGER. Except that we might by special act recognize the fact that her husband was placed on the retired list.

Mr. CHILTON. That is all.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. MYERS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until Monday, January 15, 1917, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 13, 1917.

POSTMASTERS.

ARIZONA.

Lee L. Scott to be postmaster at Ajo, Ariz. Office became presidential October 1, 1916.

CALIFORNIA.

David A. Curry to be postmaster at Camp Curry, Cal. Office became presidential October 1, 1916.

R. G. Pettigrew to be postmaster at Brea, Cal. Office became presidential October 1, 1916.

IDAHO.

Laura A. Miller to be postmaster at Cuddeback, Idaho. Office became presidential October 1, 1916.

ILLINOIS.

Charles D. Resler to be postmaster at Cisne, Ill. Office became presidential October 1, 1916.

Thomas C. Sayers to be postmaster at Herscher, Ill. Office became presidential October 1, 1916.

Frank E. Waessner to be postmaster at Shannon, Ill. Office became presidential October 1, 1916.

IOWA.

John T. Carey to be postmaster at Denison, Iowa, in place of Alfred F. Wright. Incumbent's commission expired August 24, 1916.

MAINE.

Guy W. Swan to be postmaster at Princeton, Me. Office became presidential October 1, 1916.

MASSACHUSETTS.

James W. Wixtead to be postmaster at East Douglass, Mass., in place of E. E. Carpenter. Incumbent's commission expired January 25, 1916.

MISSOURI.

Joe B. Todd to be postmaster at Sugar Creek, Mo. Office became presidential January 1, 1917.

NEW YORK.

John M. Sullivan to be postmaster at Long Lake, N. Y. Office became presidential October 1, 1916.

OKLAHOMA.

Kenneth T. Henson to be postmaster at Carter, Okla. Office became presidential October 1, 1916.

Myrtle C. Murphy to be postmaster at Kingston, Okla. Office became presidential October 1, 1916.

RHODE ISLAND.

Lewis A. McGowan to be postmaster at Providence, R. I., in place of Walter A. Kilton. Incumbent's commission expires March 1, 1917.

TEXAS.

David C. Broyles to be postmaster at Paint Rock, Tex. Office became presidential October 1, 1916.

Artie M. Shepard to be postmaster at Hale Center, Tex. Office became presidential January 1, 1917.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 13, 1917.

MEMBER OF THE CALIFORNIA DÉBRIS COMMISSION.

Col. Edward Burr to be a member of the California Débris Commission.

PUBLIC HEALTH SERVICE.

Robert Booth Acker to be assistant surgeon.
Charles Armstrong to be assistant surgeon.
Rolla Eugene Dyer to be assistant surgeon.
Meade Castleton Edmunds to be assistant surgeon.
Justin Keyser Fuller to be assistant surgeon.
Walter Trousdale Harrison to be assistant surgeon.
Robert Watson Hart to be assistant surgeon.
William Frederick Wagenbach to be assistant surgeon.

POSTMASTERS.

ARIZONA.

Webster H. Knight, Humboldt.
Carmen Robles, Sonora.

CALIFORNIA.

George D. Dool, Calexico.
William Fox, Dorris.

CONNECTICUT.

Charles F. Farren, Woodmont.
William M. Logan, West Cheshire.
Rollin S. Paine, Stony Creek.

INDIANA.

Lawrence H. Barkley, Moores Hill.

IOWA.

Estey C. Baggs, Hornick.
Harry E. Erickson, Linn Grove.
Harold I. Kelley, Early.
Edward F. McGorrick, Arnolds Park.
Charles E. Perdue, Pierson.
Henry W. Pitstick, Boyden.
Eugene Reardon, Auburn.
Emma O. Wellemeyer, Harris.
Amos K. Wilkins, Ute.

KANSAS.

Anna Belle Lock, Norwich.
Roberta H. McBlain, Fort Riley.

MISSOURI.

Virgil L. Looney, Walnut Grove.
William F. Stevenson, South West City.

MONTANA.

Mary R. Burke, Scobey (late East Scobey).

NEBRASKA.

J. T. McIntosh, Sidney.
John F. Mahoney, Palmyra.

NEVADA.

Jeanann M. Fay, East Ely.
Mabel C. Heidenreich, Hazen.

NORTH CAROLINA.

James M. Hall, Roseboro.
John A. MacRae, Badin.

NORTH DAKOTA.

Walter E. Barringer, Streeter.
John A. Knapp, Binford.

Walter W. Lee, Sykeston.
Emil F. Neumann, Gackle.

OHIO.

Riley E. Clark, Warsaw.
Harry D. Collins, New Paris.
Ernest C. Heaps, Worthington.
Rollah E. Hite, Pleasantville.
Charles E. Plummer, Seaman.
Henry W. Reeder, Albany.

TENNESSEE.

Luther M. Roberts, Soddy.
Patrick H. Toomey, Englewood.

TEXAS.

H. C. Parker, Tenaha.
Gustav R. Voigt, New Ulm.

UTAH.

Ada H. Merrill, Smithfield.

VERMONT.

George N. Clark, Groton.
Charles S. Dole, Danville.
Albert B. Roberts, Dorset.
W. Ray Whitney, Franklin.

WISCONSIN.

Victor E. Layer, Adams.

WEST VIRGINIA.

Scott Justice, Logan.

HOUSE OF REPRESENTATIVES.

SATURDAY, January 13, 1917.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who art never far from any of us, we would draw near to Thee in spirit and drink deep from the fountain of life, be refreshed and strengthened, that we may respond to the duties ever calling for thought and action. We are living in an age of transition. Great changes are in the making and must needs come, growing out of the awful conflict now raging in a large part of the world. And we most fervently pray that our people may stand together as one for the sacred principles involved in our Republic, a precious heritage handed down by our fathers, liberty, justice, and equal rights to all, that we may continue to live and grow intellectually, morally, spiritually through Him who taught us the way, the truth, and the life. Amen.

The Journal of the proceedings of yesterday was read and approved.

VOCATIONAL EDUCATION BILL.

Mr. HUGHES. Mr. Speaker, the Senate has asked for a conference on the bill S. 703, the vocational education bill, and I therefore move that the House insist on its amendments and agree to the conference asked for.

The SPEAKER. The gentleman from Georgia asks unanimous consent to take from the Speaker's table the bill S. 703, insist on the House amendments, and agree to the conference asked for. Is there objection?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. HUGHES, Mr. RUCKER, and Mr. POWERS.

RIVERS AND HARBORS BILL.

Mr. SPARKMAN, from the Committee on Rivers and Harbors, by direction of that committee, reported a bill (H. R. 20079) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which, with accompanying papers, was ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. Speaker, in addition to the report (No. 1289) on the bill, at the request of the gentleman from Wisconsin [Mr. FERRAR], I present his minority report, to be printed with the other.

Mr. MANN reserved all points of order.

PERSONAL EXPLANATION.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes on a personal matter.

Mr. MOON. Reserving the right to object, I will ask the gentleman what it is about.

Mr. STEENERSON. The matter I referred to yesterday.

Mr. MOON. It is the matter reconciling the gentleman's remarks and those of the gentleman from Indiana [Mr. Cox]?

Mr. STEENERSON. The gentleman from Tennessee is extremely unfair. I am going to have this corrected.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to proceed for 10 minutes on a personal matter. Is there objection?

Mr. MOON. I do not object if it is coupled with the agreement that the gentleman from Indiana [Mr. Cox] may have five minutes if he desires it.

Mr. STEENERSON. Oh, certainly; I would be glad to have him.

The SPEAKER. Is there objection?

There was no objection.

Mr. STEENERSON. Mr. Speaker, on Thursday the gentleman from Indiana [Mr. Cox], for whom I entertain the highest regard, made a speech in Committee of the Whole House on the Post Office appropriation bill (H. R. 14910), in which he took occasion to refer to some remarks made by me on the same subject a few moments earlier in the day. He took occasion to criticize me for the remarks I had made, characterizing them as unfair and partisan, and among other things, in substance, said that I had charged the Postmaster General with falsification. A colloquy ensued between him and me, in which I disclaimed having said anything of the kind, and I wanted to interrogate him further, but he declined to further yield.

He then proceeded to discuss my remarks, and among other things said that I undertook to prove that the report of the Postmaster General was false, and then he proceeded to say that I asserted that I was going to prove in my speech that for the last three years there was a postal deficit—that is, that the two years where there was a surplus was less than the surplus for the year for which there was a deficit, and he said I had utterly failed in proving that assertion. He repeated it further on that I had charged that there was no postal surplus during the last three years.

I obtained unanimous consent a little while later to answer the gentleman's remarks, and in that five-minutes' speech I produced the report of the Auditor of the Treasury for the Post Office Department for the last year and showed by the figures there that my statement that for the last three years, taken together, there was not a postal surplus, but a deficit of \$1,127,000. I put that whole report into the Record, together with my remarks, and explained that these figures could not be and were not disputed by anybody.

Judge of my surprise when I read my speech I saw in the same Record the speech of the gentleman from Indiana, in which he had changed it so as to strike out the words "three years" and insert "four years" in two places, thereby making it appear that he charged me with contending that for the last four years there was no surplus, a thing that I never contended anywhere. What I did contend was that the year 1913 did not belong to this administration, and if the unpaid bills were deducted there would not have been any surplus even if we counted four years. But the official figures as to the last three years conclusively showed there was a postal deficit.

I hold in my hand the Official Reporter's transcript, and on which these changes appear. For instance, page 522 of the transcript the gentleman is recorded as saying:

The gentleman from Minnesota undertook to criticize the Postmaster General's report and to prove that it was false, and consumed an hour and 23 minutes of the time. It was an utter failure, for he never adduced a single fact or a single figure to show that Mr. Burleson's report was erroneous when it said that for the last three years he had turned into the Treasury a surplus of about \$5,000,000.

Now, that is changed in the printed speech to four years, and the actual figures which I myself had given as a surplus for these four years. In this way the speech which I answered and which I listened to was not the speech at all that was printed the next day. I deem it necessary that the House and the country should understand, according to the gentleman's own figures, that I was correct when I said that the official figures of the auditor showed there was no postal surplus for the three-year period of 1914, 1915, and 1916.

I do not attribute any bad motives to my friend from Indiana, but instead of being nonpartisan I think he is just as partisan as I am, and that in the heat of debate, not having studied these figures, he was led to make the statement without knowing what the facts were. He undertook to criticize my speech without having familiarized himself with the figures, for he distinctly said twice, as I shall show in these minutes which I shall print in the Record, uncorrected, that he criticized me for having asserted there was no postal surplus for the last three years—a thing he himself admits and the record admits and everybody else admits, because the official figures show it. He took advantage of the leave to extend and correct his remarks, and I have no fault to find except that I want it understood

that the speech that he delivered was not the speech that appeared in the Record. I regret that there was any difference between us. We are both partisan, but certainly there was nothing in my speech which justified him in accusing me of calling the Postmaster General names; neither was there anything that justified the chairman of the committee earlier in the day on Thursday in saying that anything to the contrary of his claim of a surplus would be falsehoods and lies. Everything that was said by me is now in the Record. I was unable to find one of the tables on Thursday, and hence the speech did not appear until this morning, but I have not changed the speech, and the gentleman from Indiana is welcome to the transcript of the reporters' notes if he wants to examine it. He was entirely unjustified in saying that I had called anyone a liar, least of all the Postmaster General. I have a right to make my argument to show that they are mistaken, and that is all I did. This administration or any other is not so sacred that it is not to be subjected to criticism that is fair and honest, and that is all I indulged in.

Mr. COX. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. COX. Mr. Speaker, under leave to extend my remarks I have always been exceedingly careful and cautious to not change them so as to put an opposing Member in a false attitude. I think it is shown in two places in my remarks that I asked and obtained unanimous consent to insert certain things in the Record. At the conclusion of my remarks I asked unanimous consent for general opportunity to revise and extend, which was granted.

Mr. Speaker, there is an old Spanish adage which says that "You can always tell where the shot came from by noticing the flutter of the bird." I have not anything to take back, anything to apologize for at all in what I said at that time, and evidently from the gentleman's argument and remarks this morning I certainly touched a tender spot upon him somewhere—unintentionally entirely. In his argument of an hour 23 minutes the other day and in his argument of 10 minutes to-day he reminds me very much of a statement in one of Aesop's fables, to the effect that the "mountain labored in great travail and brought forth a mouse." That seems to be the result of the gentleman's argument of an hour and 23 minutes the other day and 10 minutes this morning, in trying to convince this House and the country that the Postmaster General falsified his reports in laying claim to the fact that in three out of four years there was a surplus turned into the Treasury by him. In the heat of argument the other day I did use the figure 3. I had only 30 minutes' time, and when I came to revise my remarks I saw that the Postmaster General was making a report on four years instead of three, and I must confess that at the time I revised my remarks I never thought for a moment of the tremendous fulmination of words delivered by the gentleman with an exceedingly small amount of ideas connected therewith in his attempt to prove that the Postmaster General had falsified his reports. I regret this morning, and I am sincere in that, that at any time any member of this Committee on the Post Office and Post Roads should undertake to drag politics into this bill. I am here to say now that if the Republican Party controls this House in the next Congress, and if a Republican is made the chairman of the Committee on the Post Office and Post Roads, and I am reassigned to that committee, I am not going to stand on the floor of this House and criticize the Republican majority members of the committee, but I am going to stand upon the floor of the House and uphold and support that committee where I think it is right.

I hold in my hands the report of the Postmaster General, and I read the following from page 6:

That the Postal Service is now self-sustaining is evidenced by the fact that for three out of the four years of the present administration audited surpluses aggregating \$14,716,350.03 have been shown. Deducting the audited deficiency in 1915 of \$11,333,308.97, the net surplus for the four-year period is \$3,383,041.06, and but for the business depression occasioned by the European war the department would have undoubtedly secured a surplus of not less than \$18,000,000.

That conclusively shows just what I said then, or what my remarks should have said then, and when I came to revise them I made them speak the truth, that in three out of four years he has turned into the United States Treasury a surplus of \$3,383,041.06.

Mr. STEENERSON rose.

Mr. COX. I refuse to yield. If I recall the gentlemen's speech the other day, he spoke of the still outstanding claims that were due the railroads. I call the gentleman's attention

and the attention of this committee to the Postmaster General's report on page 18, as follows:

The payment of the additional compensation to railroad companies authorized by Congress on account of the increased volume of the mails to be transported, resulting from the department's orders raising the limits of size and weight for parcel-post mail, was delayed owing to the failure of the postal appropriation act for the fiscal year 1916. Under the provisions included in the postal appropriation act for the fiscal year 1917 for adjusting these claims of the railroads the amounts due, which were fully adequate for the service rendered, have been finally determined and paid. It is a source of satisfaction to the department that this matter has been finally adjusted, but it is only fair to state that the delay of this settlement was directly attributable to the activities of those assuming to speak for the railroads.

I repeat that there is not anything at all in the gentleman's contention this morning; there was nothing in it the other day, in his hour and twenty-three minutes' discussion, when he undertook to prove that the Postmaster General was mistaken or had misrepresented his report here, when the Postmaster General said that in three out of four years he had actually turned a surplus into the Treasury of the United States, and had it not been for the fiscal year 1915, following the outbreak of the European war, that would have been not less than \$18,000,000.

Everybody knows, as I have been told by some of the large business men of the country, that the Post Office Department is the best barometer of business in this country.

The SPEAKER. The time of the gentleman has expired.

Mr. COX. I would ask for two minutes more; that is all I want.

The SPEAKER. The gentleman from Indiana asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. COX. The large business men of this country, the railroads, banks, and large manufacturing concerns keep their eyes upon the postal receipts of the Nation as a barometer of the business of the Nation more than they do on the trade journals and the transportation traffic of this country, conclusively again sustaining the contention of the Postmaster General that it was due to the outbreak of the European war that prevented him from turning into the Treasury of the United States a surplus at the end of the fiscal year 1915. When I came to revise my remarks, I changed the figures from three to four so as to make it correspond with the Postmaster General's report, and that was exactly what I intended to say when I made my speech the other day, and what I would have said had I not been crowded for the lack of time. The gentleman has failed, dismally failed, utterly failed, in sustaining his position that the Postmaster General was mistaken. He has failed, dismally failed, utterly failed, this morning to prove that the Postmaster General was mistaken in his report.

Mr. STEENERSON. Mr. Speaker, I would ask for two minutes.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. STEENERSON. Mr. Speaker, the gentleman from Indiana [Mr. Cox] says that if the Republicans control the House and committees he will support, as I understand, all we do. I believe a man's duty to his country is to stand for the truth, and I believe there is a great deal in the report the gentleman has read from that leads to an erroneous conclusion. I sought in my speech to convince the gentleman, and I think any fair-minded man who reads the speech will be convinced that, although there was a surplus deposited for 1913, 1914, and 1916, there was a deficit of \$11,300,000 in 1915, and when you add to that the unpaid railroad bills for excessive parcel-post weight payments and the rural carriers' salaries, and you deduct those things, together with the deficit of 1915, it eats up the whole original surplus, so we are not richer than we were before, but a little poorer. Now, I am not complaining of that. I do not believe we ought to have a large postal surplus. I am glad to see that we come within two or three million dollars. I am not finding fault with that feature of it, but I am finding fault with a report that leads one to draw an erroneous conclusion. The fact that men have stood up repeatedly and asserted that the Postal Service was turning in twelve or eighteen million dollars in three years shows they have misunderstood the figures.

Mr. MOON. Will the gentleman allow me to interrupt him?

Mr. STEENERSON. I only have two minutes.

Mr. MOON. I want to ask the gentleman if he is really seeking information on that question, if he really wants to know why it is that the accounts for the Postal Service and railroads are not accounted for in making a general balance; if the gentleman is not talking for political effect, but if he wants to know the facts, I will ask leave to put in the Record

a statement to show that these items to which the gentleman referred as items of properly audited accounts arose after the end of the fiscal year for adjustment and are not chargeable to any year. If the gentleman wants the truth, I will have a statement from the department put in the Record, but if the gentleman is just talking for political effect I do not care anything about it.

Mr. STEENERSON. Mr. Speaker, the gentleman took up my time, and I suppose I can at least have one more minute.

The SPEAKER. The time of the gentleman has expired.

Mr. MOON. Of course, and I ask that the gentleman be permitted to talk as long as he wants to.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that he may proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. STEENERSON. The reason why the deferred railroad bills were not paid was because we had not passed the law, but that does not alter the fact that the bills were not paid, and if the items mentioned had been deducted from the surpluses rendered in those fiscal years 1913, 1914, and 1916 it would have reduced the audited surplus that much. The same thing with the rural carriers' salaries which had not been paid because we had not passed the law directing or forcing them to be paid, but that does not alter the fact that when they are paid it will reduce the net earnings of those years by that much, and when you take these things into account there is not such a thing as a profit for the last three years or even four years. I am only speaking in the interest of the truth. I am not finding any fault. I am glad to see the department is so near self-sustaining. I regret very much the gentleman from Indiana thinks because I made those remarks I am indulging in partisanship, but I am simply trying to get at the truth. The people of the United States are entitled to the truth as to all financial Government operations. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had further insisted upon its amendments to the bill (H. R. 10384) to regulate the immigration of aliens to, and the residence of aliens in, the United States, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SMITH of South Carolina, Mr. HARDWICK, and Mr. LODGE as the conferees on the part of the Senate.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 7359. An act authorizing the Delaware Railroad Co. to construct, maintain, and operate a bridge across the Nanticoke River at Seaford, Sussex County, Del.

INVESTIGATION UNDER HOUSE RESOLUTION 420.

Mr. HENRY. Mr. Speaker, I ask unanimous consent for the present consideration of the following report from the Committee on Rules.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 442.

Resolved, That in the performance of the duties imposed upon it by reference to it of House Resolution 420, the Committee on Rules shall have the power to send for persons and papers and to administer oaths and to employ such stenographic and clerical assistance as may be necessary. The expenses incurred hereunder shall be paid out of the contingent fund of the House of Representatives on vouchers ordered by this committee and signed by the chairman thereof and approved by the Committee on Accounts, evidenced by the signature of the chairman thereof.

Mr. HENRY. Mr. Speaker, that resolution is identical with the one that was adopted, as introduced by the gentleman from Tennessee [Mr. GARRETT], and gives the Committee on Rules the same power to proceed in regard to resolution No. 420 as it gave, on the previous occasion, it authority to proceed under 429.

The SPEAKER. The question is on agreeing to the resolution.

Mr. GARRETT. Mr. Speaker, I think in fairness to some of us that this statement ought to be made.

I have consented to the passage of that resolution, or do consent to the passage of it, without a contest, for two reasons: First, it seems to be necessary as a technical proposition to pass it in order to reach that parliamentary stage where proceedings can be taken to deal with Mr. Lawson. That is the first reason, and the next is, that I think the action of the House on yesterday, the sentiment that was developed, indicated a desire and a disposition to have this resolution No. 420 considered, or something very similar. Personally, I do not have the slightest suspicion or idea that there is a thing contained in that resolution

that was not intended as a keen and bitter reflection upon and an effort to discredit an administration which the adverse political party could not defeat, but a sufficient number of Democrats indicated their disposition toward it yesterday as that it seems proper to permit the matter to pass without objection.

The SPEAKER. The question is on agreeing to the resolution. The resolution was agreed to.

Mr. HENRY. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution.

The SPEAKER. The gentleman from Texas asks unanimous consent for the present consideration of the resolution which the Clerk will report.

The Clerk read as follows:

House resolution 443.

Resolved, That in the consideration of House resolutions Nos. 420 and 429, committed to the Committee on Rules, said committee be, and it is hereby, authorized and empowered to require witnesses to answer all questions propounded by said committee or a member thereof, touching the subject matter of said resolutions, and to require any witness called before it to testify fully as to any information in his possession, whether in the nature of hearsay testimony or otherwise, relative to the matters set forth in said resolutions. And said committee is specifically directed to require one Thomas W. Lawson to name any Member of Congress or other person alleged by him in his testimony before said committee on January 8 and 9, 1917, to have given him any information relating to the subject matter of said resolutions or either of them.

The SPEAKER. Is there objection?

Mr. MOON. Mr. Speaker, I want to say this in reference to that resolution. I do not believe this House has the power to pass such a resolution.

The SPEAKER. The question the Chair put to the House was whether or not there was objection to the consideration of this resolution. Is there objection? [After a pause.] The Chair hears none.

Mr. HENRY. Now, Mr. Speaker, the Committee on Rules desire to be clothed with all the power this House can give them in order that they may deal with the witnesses that are to be subpoenaed. We also wish to be clothed with all the power this House can give us to deal with one Thomas W. Lawson. We think that the adoption of those two resolutions will clothe us with that power. The committee has subpoenaed Mr. Lawson to reappear. He will be here, we hope, on Monday, when we will use the authority that this House gives us under that resolution. If the witness fails and refuses to answer the questions, it is the purpose of the committee to endeavor to get those answers, and if the committee is not able to do so, then it is the purpose of the Committee on Rules to bring the question to the House and let the House decide what authority they have and to exhaust their power. It seems to me that states the entire case.

Now I yield to the gentleman from Tennessee [Mr. MOON] five minutes.

Mr. MOON. Mr. Speaker, I do not want more than five minutes.

I do not have any objection to this resolution. I do not want the committee to have any less power than it has under the law. They ought to have all the power under the law and all the power this House can confer, but that resolution says that Lawson shall answer any question put to him. This committee has no power to put just any question. It is only those questions that pertain properly and lawfully to the inquiry and do not affect constitutional rights of the witness that they have a right to ask. Now, I suggest, and I only rose for the purpose of suggesting, that that resolution be amended so that it would fall within the rule laid down by the Supreme Court of the United States on that question. If you do not amend it, and you attempt to exact from him those things which are not entirely pertinent to the inquiry, the result will be that if he is brought before the House for contempt he must be ultimately discharged. The House ought not to put itself in the position of making an improper inquiry.

Mr. MANN. Will the gentleman yield?

Mr. MOON. Yes.

Mr. MANN. Does not the resolution provide for the answering of questions relating to the subject matter of these resolutions before the committee?

Mr. MOON. I do not understand the resolution in that way. If I had, I would not have made the suggestion.

Mr. FOSTER. It means relevant to the inquiry.

Mr. MOON. Let us have the resolution reported again.

The SPEAKER. The Clerk will report the resolution.

The resolution was again reported.

Mr. MOON. Now, Mr. Speaker, that resolution does not read exactly like I thought it did, and yet, after hearing the reading of it, I do not think it is quite a proper resolution. You may ask a man many questions touching an inquiry, but it is only those questions which may be lawfully and properly asked touching that inquiry that this House has a right to hear and

know. A question may be relevant and still unlawful. And in view of the decisions that have been made on that question, I suggest that it be amended, not merely as relevant, but as lawfully relevant, as properly touching the inquiry, because there are a good many questions that may be connected with propositions that may not properly be asked under the inquiry. It is a very touchy proposition. I have had occasion to look into it in the past. I notice that the Supreme Court of the United States in deciding upon questions of this sort are very loath to permit the Congress to ask questions that are not strictly within the line of its legitimate inquiry and that do not invade the strictly individual affairs and the constitutional rights of a witness. They properly so hold. I am not going to press the matter at all. I make this suggestion only for your careful consideration. The resolution to me seems to be rather loosely and inartificially drawn.

Mr. HENRY. Mr. Speaker, I ask for a vote on the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19410, the Post Office appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Georgia [Mr. CRISP] will take the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 19410) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes, with Mr. CRISP in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 19410) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For mail-messenger service, \$2,243,000.

Mr. BENNET. Mr. Chairman, I offer an amendment to be inserted at that place in the bill by way of a new paragraph.

The CHAIRMAN. The gentleman from New York [Mr. BENNET] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BENNET: Page 15, after line 13, insert the following as a new paragraph: "That the Postmaster General is hereby authorized, in his discretion, with the consent of the Secretary of the Treasury, to utilize for the transmission of mail the pneumatic tube."

Mr. MANN. Mr. Chairman, the gentleman from Iowa [Mr. HULL] has an amendment to offer to the paragraph preceding that which was last read, and which is entitled to priority over a motion to insert a new paragraph.

The CHAIRMAN. Without objection, the gentleman from New York will withdraw his amendment.

Mr. BENNET. Certainly.

The CHAIRMAN. And the Chair will recognize the gentleman from Iowa to offer an amendment to the preceding paragraph, which the Clerk will report.

Mr. MOON. What paragraph was that?

The CHAIRMAN. The paragraph on page 15, ending with line 12.

Mr. MOON. We finished the paragraph on page 15, ending with line 12, yesterday.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Iowa [Mr. HULL].

The Clerk read as follows:

Amendment offered by Mr. HULL of Iowa: Page 15, line 13, after the figures "\$2,243,000," insert "No part of this money shall be paid for any messenger service unless it be to the mail messenger who was the lowest qualified bidder at the time the contract was first called for."

Mr. STAFFORD. I reserve a point of order on that, Mr. Chairman.

Mr. MOON. I thought we had considered that paragraph yesterday.

Mr. HULL of Iowa. The amendment is clearly within the Holman rule, being a limitation upon the expenditure.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LLOYD having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the

disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10384) to regulate the immigration of aliens to, and the residence of aliens in, the United States.

POST OFFICE APPROPRIATION BILL.

The committee resumed its session.

Mr. MOON. Mr. Chairman, I want to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOON. I understood that section to have been read and completed yesterday.

The CHAIRMAN. The section was read, but the committee never acted upon it. At the time it was read a colloquy arose between the gentleman from Minnesota [Mr. STEENEBSON] and the gentleman from Indiana [Mr. Cox] as to whether they should be permitted to address the House, and the committee rose in that condition.

Mr. MOON. Very well, if that was the state of affairs.

The CHAIRMAN. The gentleman from Iowa will proceed.

Mr. HULL of Iowa. Mr. Chairman, this amendment is to correct an abuse which prevails in this branch of the Post Office Service. I think that while we are trying to be fair with all labor we ought to be fair with ourselves and pass this amendment. There is not any objection to it.

Mr. MADDEN. Will the gentleman explain the purpose of it?

Mr. HULL of Iowa. The purpose is apparent on the face of the amendment. It requires, when you call for bids, that you should take the lowest qualified bidder.

Mr. McKENZIE. It does not say that.

Mr. HULL of Iowa. Yes; it does.

Mr. STAFFORD. May we have the amendment again reported, Mr. Chairman?

The CHAIRMAN. Without objection, the amendment will be again reported.

The amendment was again read.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. HULL of Iowa. Yes.

Mr. MANN. Is it the purpose to prevent the Postmaster General from rejecting all bids and newly advertising?

Mr. HULL of Iowa. It is to prevent the Postmaster General from letting the contracts to higher bidders and peddling the bids out; that after he has called for the lowest bidder he shall go ahead and let the contract, provided the man is a qualified messenger.

Mr. MANN. Suppose there is only one bidder, and that is an exorbitant bid in the opinion of the Postmaster General. Is he still required under this to let the contract to him, notwithstanding that fact?

Mr. HULL of Iowa. He could in his regulation claim that his was not a qualified bid, if it is only one.

Mr. MANN. Well, suppose there were two, and they were both exorbitant. What I am trying to get at is this: Is he forbidden to advertise for new bids under those circumstances? Is that the gentleman's opinion of it?

Mr. HULL of Iowa. No. I do not think it would prevent that. It is to prevent letting to a higher bidder or peddling the bids.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. HULL of Iowa. Yes.

Mr. McKENZIE. Can the gentleman from Iowa cite any instance of abuse that has grown up under the present system now which he wishes to cure?

Mr. MOON. Mr. Chairman, I make the point of order that the proposed amendment changes a law on the subject of advertisements.

Mr. STAFFORD. I supplement that.

The CHAIRMAN. The gentleman from Iowa has the floor. When the amendment was read a point of order was reserved, and the gentleman from Iowa was recognized.

Mr. HULL of Iowa. I will answer the gentleman from Illinois. I was a postmaster once, and I know that there is an abuse in the letting of these contracts. It happens in every town where you have some poor old man hauling the mail. You advertise for bids and you do not let the contract to the lowest bidder as a method of doing business. I am not in favor of letting it unqualifiedly to the lowest bidder, but as I say, that is supposed to be the practice of the Post Office Department. I claim that when you adopt that plan you must let it to the lowest qualified bidder. That is only fair.

Mr. MOON. Mr. Chairman, will the gentleman yield?

Mr. HULL of Iowa. Yes; I yield.

Mr. MOON. The law permits the contract to be made by the department, and allows the department to reject all bids. This law requires the acceptance of the lowest bid. If the gentleman's time is out I want to conclude on the point of order.

Mr. MANN. I submit, Mr. Chairman, that the amendment is not subject to a point of order. We can make appropriations and even say no part of it can be expended unless to a red-headed man.

That is a pure limitation that is within our power under the rules of the House. We have that authority. We can not require the department to exercise additional authority, or to exercise authority in the way we want it exercised, but we can say that the department can not spend the money unless they do it in the way we say.

The CHAIRMAN. The time of the gentleman from Iowa has expired. The Chair recognizes the gentleman from Tennessee [Mr. Moon], chairman of the committee.

Mr. MADDEN. Let us take a vote on it. That is the best way.

Mr. STAFFORD. I withdraw my reservation of the point of order.

Mr. MOON. Has the Chair ruled on the point of order?

The CHAIRMAN. The Chair has not ruled on the point of order.

Mr. MOON. If it were not for the last two lines, I think it would be a mere limitation. But taken as a whole I think it is out of order, because it changes the law on the subject of bidding.

The CHAIRMAN. The Chair has read the amendment carefully, and is constrained to reach the conclusion that it is a limitation, and that under the unbroken precedents of the House a mere limitation upon an appropriation is in order.

Mr. MOON. Then let us have a vote on the question.

The question being taken, on a division (demanded by Mr. HULL of Iowa) there were—ayes 31, noes 80.

Accordingly the amendment was rejected.

Mr. BENNET. Now, Mr. Chairman, I offer my amendment.

The CHAIRMAN. The gentleman from New York [Mr. BENNET] offers an amendment as a new section, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BENNET: On page 15, after line 13, insert: "That the Postmaster General is hereby authorized, in his discretion, with the consent of the Secretary of the Treasury, to utilize for the transmission of mail the pneumatic tube connecting the customhouse and the appraisers' stores in the city of New York."

Mr. BLACKMON. I make a point of order against the amendment.

Mr. BENNET. Will the gentleman reserve the point?

Mr. BLACKMON. Yes; I will reserve the point.

Mr. BENNET. Mr. Chairman, in the city of New York the Government has constructed at its own expense a pneumatic tube connecting the customhouse with the appraisers' stores, a distance of about 2 miles. They are now operating this, but they have use for it only 6 hours a day, and they send a dispatch only about once in 15 minutes. This is a simple business proposition to which the chairman of the committee does not object, which permits the Secretary of the Treasury and the Postmaster General, if they wish to do so, to utilize this existing agency which the Government has bought and paid for.

Mr. MOON. Now will the gentleman from New York allow me to interrupt him a moment?

Mr. BENNET. Certainly.

Mr. MOON. As I said to the gentleman, I would not object to this as an independent proposition; but if this section is passed I am afraid it is the purpose of the gentleman to hitch on some other legislation which may not be in order.

Mr. BENNET. No; it is not. I will give the gentleman my assurance that it is not. I thank the gentleman for the implied compliment to my supposed parliamentary ability, but I say very frankly that I have no intention, nor has anyone else on the floor, so far as I know, directly or indirectly, any intention to affect by this amendment the pneumatic-tube controversy. This is entirely different. We have bought and paid for this tube, and the question is whether we shall use something that has cost the Government a good deal of money.

Mr. GORDON. Will the gentleman yield?

Mr. BENNET. Yes.

Mr. GORDON. Why can they not use it now, without any new legislation, if all the gentleman says is true?

Mr. BENNET. Because the Postmaster General has no power to use an appliance which belongs to the Treasury Department unless he is authorized by law to use it—answering very directly the gentleman's entirely proper question.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes; and still answering the question of the gentleman from Ohio [Mr. Gordon], I will say that, so far as I know, there is no objection to this on the part either of the Postmaster General or the Secretary of the Treasury. The collector's office in New York City does not oppose it. The

appraisers' stores in New York City think it would be a good thing. The postmaster thinks it would be a good thing. The total expense of connecting up the foreign branch and postal station P would not exceed \$10,000, and it would extend by about 30 minutes the time in which all the foreign mail of the United States—not the mail in New York, but the foreign mail of our constituents—could be sent abroad on every day that a steamer sails, and that extension of time is considerable.

Mr. COX. What is the length of the tube?

Mr. BENNET. About 2 miles.

Mr. COX. I do not know anything about the history of this tube.

Mr. MADDEN. It is a Government tube.

Mr. COX. Did the Government construct this tube?

Mr. BENNET. Yes.

Mr. COX. They built it themselves?

Mr. BENNET. They built it themselves, by contract.

Mr. COX. When?

Mr. BENNET. About 10 years ago.

Mr. COX. It is now in operation between the customhouse and the appraisers' stores, is it?

Mr. BENNET. Yes; it has been operated about 10 years.

Mr. COX. And the distance is about 2 miles?

Mr. BENNET. Yes.

Mr. COX. What is the size of the tube?

Mr. BENNET. An 8-inch tube.

Mr. COX. What is the size of the container that goes through it?

Mr. BENNET. It is the same size of tube and the same size of container that is used in the other 26 miles in New York City.

Mr. COX. A standard-size tube?

Mr. BENNET. A standard-size tube.

Mr. COX. And the Government has been operating it for about 10 years?

Mr. BENNET. Yes.

Mr. COX. And now you want to connect it up with the Post Office Department?

Mr. BENNET. I want to connect it so that they can send from Station P, which is in the customhouse, to the foreign station, which is practically across the street from the appraisers' stores.

Mr. COX. How did the Government get hold of the patent on these tubes? Did the Pneumatic Tube Co. give them the patent free of charge?

Mr. BENNET. I think they paid for it.

Mr. COX. You mean the Government paid for it?

Mr. BENNET. Paid for it 10 years ago, for the use of that tube.

Mr. COX. The Government owns it outright?

Mr. BENNET. Absolutely. The Pneumatic Tube Co. has no more to do with it than the gentleman or myself.

Mr. COX. What will be the additional cost to the Government to utilize it?

Mr. BENNET. Just to connect it up at both ends, which I should say would cost not to exceed \$10,000, and to operate it 16 or 18 hours a day, which would cost them the additional pay of possibly two men.

Mr. COX. And I understood the gentleman to answer the chairman of the committee that it is not his intention or the intention of anyone else, so far as he knows, to tie something else onto this provision?

Mr. BENNET. There is absolutely no connection between this and anything else under the sun.

Mr. BLACKMON. Mr. Chairman, I renew my point of order and insist upon it.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

Mr. HULBERT. Mr. Chairman, I ask unanimous consent to insert a letter from Postmaster Morgan upon this subject.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by inserting a letter from the postmaster at New York. Is there objection?

There was no objection.

The letter is as follows:

UNITED STATES POST OFFICE,
New York, N. Y., December 12, 1916.

Hon. MURRAY HULBERT, M. C.,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I have before me your letter of the 11th instant requesting to be furnished with certain information regarding the pneumatic-tube service in this city, for use in the hearing next Thursday morning (Dec. 14) before the House Committee on the Post Office and Post Roads, and in compliance therewith have to advise you as follows:

Question (1). Do you favor the authorized use of the pneumatic-tube connection between the Custom House and the Appraisers Stores for postal purposes?

Answer: Yes; with suitable post-office connections.

Question (2). Would such use facilitate the delivery of first-class postal matter from the downtown financial and commercial district to the Foreign Station?

Answer: Yes.

Question (3). Would such service extend the time within which supplementary mail could be sent from the downtown financial and commercial district to vessels departing for foreign and domestic ports?

Answer: Yes; later mailing time would be possible for foreign supplementary mail.

Question (4). Can you estimate the percentage of first-class mail which would be transported by this tube in the event of its authorized use by the postal authorities?

Answer: All of the first-class mail from the downtown financial and commercial district for foreign dispatch mailed between 4 a. m. and 11 p. m.

Question (5). Do you know what the additional expense to the Government will be to extend the use of this tube for postal purposes?

Answer: I am not aware of the additional expense involved; this would be a matter for departmental adjustment with the contractor for pneumatic-tube service.

In connection with the answers to questions 2 and 3, I have to state that there is absolutely no doubt that if this tube line were turned over to the Post Office Department it could be utilized to advantage in the transmission of mails. All of the letters, documents, etc., now transmitted through the line could be sent by the Post Office Department for the Treasury Department, and the surplus capacity of the line used to transport the regular mails, provided the line was connected to two of the present post-office stations, namely, Foreign Station and Hudson Terminal Station, both of which are located a short distance from the line, and it is very probable that some arrangement could be made with the New York Pneumatic Service Co. to operate it in connection with its system of mail tubes which connect the stations throughout the city.

Very truly, yours,

E. M. MORGAN, Postmaster.

The Clerk read as follows:

For the transmission of mail by pneumatic tubes or other similar devices, \$449,500.

Mr. TAGUE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 15, line 15, after the word "devices," strike out "\$449,500" and insert in lieu thereof "\$1,061,000, for continuance of service now existing in New York, Philadelphia, Boston, Chicago, St. Louis, and Brooklyn."

Mr. MOON. Mr. Chairman, to that I make a point of order.

Mr. TAGUE. Will not the gentleman reserve it?

Mr. MOON. I have no objection to reserving it.

Mr. TAGUE. Mr. Chairman, I do not believe that this amendment is subject to a point of order. The law at the present time permits the expenditure. In the first place, under the law of 1906 it permits an expenditure of \$1,250,000. This amendment calls for \$1,060,000. In the law of 1906 it reads:

That the service shall not be extended in any other cities other than those in the service as now under contract under authority of Congress.

The cities named in this provision are the cities wherein the service is now in operation. The claim against this provision also is made that it requires a report of experts before a new contract can be entered into.

Mr. Chairman, the contracts under the law of 1902, previous to the enactment of the last contract made by these companies with the Government, were the contracts, to my mind, that were to be affected by this law. I do not believe that it was ever intended that invitation would be made to the public to bid upon a contract, to have a contract made, for people to invest their money in a service for the Government, and then upon the expiration of that contract—with a contract like that of the pneumatic-tube contracts, requiring them to place their tubes under the ground for no purpose except for the purposes of the Government—they should be put out of commission. In proof of that, the commission that was appointed to investigate the last contract, made in 1906, and the action of the Postmaster General at that time, reported no investigation as to the continuation of existing contracts. On the contrary, that commission, in the opening of their report, October 4, 1905, to the Second Assistant Postmaster General, said this:

The commission appointed by the Postmaster General, Order 1253, of November 15, 1904, after carefully investigating the needs and advisability of extending pneumatic-tube service—

And so forth.

It said nothing in this report as to the contracts then in existence. It made no claim that the Government had no right to issue contracts under the law that they were then living under of 1902. It merely applied to an extension of the system, and I contend, Mr. Chairman, that the law of 1902 applied merely to the contracts then being made by the Government.

Mr. BORLAND and Mr. GORDON rose.

The CHAIRMAN. To which gentleman does the gentleman from Massachusetts yield?

Mr. TAGUE. I refuse to yield now. Mr. Chairman, the investors in these enterprises, in good faith, have invested their money in a contract that has received the approval of the com-

missions appointed by this Government. No commission since 1902, at the time of the original contracts, made at that time for four years, has been appointed with the intention of investigating future contracts as affecting the then existing contracts made by the Government. The only commission that was appointed since 1902 was the appointment of the commission of 1906, whose report I have just read, and then the commission appointed which reported in 1914 as to the advisability of the Government purchasing the pneumatic-tube service. There has been no investigation by any commission on any other condition or contract since 1902. The other investigation—and I contend that the Postmaster General then in office had the same contention that I hold—and the only purpose of the act was the future extensions of contracts and was not to affect the then existing contracts, but for the purpose of extension. The last commission was appointed for the purpose of deciding whether or not this Government should purchase and own the pneumatic-tube service.

Mr. GALLIVAN. Mr. Chairman, do I understand the point of order has been reserved?

The CHAIRMAN. It has.

Mr. GALLIVAN. I desire to address myself to the subject matter of the item.

Mr. MOON. The point of order was reserved until the conclusion of the remarks of the gentleman from Massachusetts [Mr. TAGUE]. I understand that several gentlemen want to speak on this question. While the amount involved is only \$500,000 or \$600,000 in a bill carrying \$329,000,000, yet up to the present time in the consideration of the whole of this bill, before the committee and including the time occupied in the House, there has been twice as much time given to this one item as to the whole balance of the bill. Still some gentlemen from these cities want to speak, and, while they have not the right under the rule to speak more than five minutes on either side, I am inclined to ask the House to be liberal with them. If I could get some agreement as to time—

Mr. STEENERSON. Would the gentleman from Tennessee agree to two hours?

Mr. MOON. No; I would not.

Mr. STEENERSON. How much does the gentleman have in mind?

Mr. MOON. Twenty-five or thirty minutes.

Mr. MANN. Let me suggest to my friend from Tennessee that, in the first place, I think he ought to be thankful that the main discussion centers about an item of half a million dollars instead of some other provisions carrying much larger appropriations. In consideration of the many matters, the gentleman from Tennessee knows as well as I do that when there is an interesting matter up and gentlemen desire to be heard upon it, it is customary to give them time. The Post Office bill has never proceeded heretofore as rapidly as it has this year.

Mr. MOON. I am willing to give liberal time.

Mr. MANN. Quite a large number of gentlemen wish to be heard.

Mr. MOON. How many gentlemen want to be heard? [After a pause.] Mr. Chairman, in view of the large concourse that have arisen and held up their hands for time, I believe that I will agree to one hour and a half debate.

SEVERAL MEMBERS. Make it two hours.

Mr. MOON. Well, Mr. Chairman, I have to give up most everything I want to do, and I suppose I will have to consent to two hours. I ask unanimous consent that all debate on the pneumatic-tube provision of the bill and all amendments thereto be limited to two hours, one half to be controlled by the chairman of the committee and the other half by the gentleman from Minnesota [Mr. STEENERSON].

Mr. DYER. Will the gentleman withdraw his point of order?

Mr. MANN. We will have the point of order disposed of.

The CHAIRMAN. The Chair will submit the request to the gentleman from Tennessee. The gentleman from Tennessee asks unanimous consent that two hours' debate be allowed on the pneumatic-tube feature of this bill and all amendments relating to that subject; that one half of that time shall be controlled by himself and the other half by the gentleman from Minnesota [Mr. STEENERSON]. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, and doing so only for the purpose of obtaining information, I would like to ask if that two-hour discussion would be upon the merits with the point of order pending against the pending amendment, and no opportunity given to discuss other amendments that might be presented.

Mr. MANN. The request is for two hours of debate. That does not affect the point of order.

Mr. MOON. Mr. Chairman, to relieve gentlemen, I ask unanimous consent that the two hours' debate begin after the Chair has disposed of the point of order.

Mr. MOORE of Pennsylvania. I think it would be unfair to rest the fate of the pneumatic tubes on one amendment. The discussion now would be for two hours, apparently, and all of that time would be consumed on the amendment offered by the gentleman from Massachusetts [Mr. TAGUE], against which the point of order has been made.

Mr. STEENERSON. The proposition is open to amendment.

Mr. MOON. Debate is under the rules of the House, of course.

Mr. GALLAGHER. Mr. Chairman, as a matter of information, I would like to inquire if the gentleman from Minnesota is opposed to the tubes or for them?

Mr. STEENERSON. I am for the tubes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that after the point of order shall have been ruled upon there be allowed two hours' discussion on the provision of the bill and amendments thereto relating to the pneumatic-tube service; that he control one hour of that time and that the gentleman from Minnesota control the remaining hour. Is there objection?

Mr. MOON. That is, provided, of course, the point of order is not sustained.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The Chair will now hear the gentleman from Tennessee on his point of order.

Mr. MOON. Mr. Chairman, I am going to be very brief upon the point of order. I will ask what the amount of the amendment is?

The CHAIRMAN. The amendment provides for \$1,061,000.

Mr. MOON. A chapter of the Postal Laws and Regulations, section 1374 and following, contains the law on the subject of pneumatic tubes. It must be confessed that this is a question arising about this statute that has not heretofore arisen, so far as my knowledge goes, nor has it been submitted to the decision of the Chair. Here is a simple item in a bill authorized by law providing for pneumatic tubes and other devices. The appropriation is limited in the act to a specific sum of money. This act is a part of the chapter, sections 1374, 1375, and 1376, of the Postal Laws and Regulations. It is a rule of law that all of the laws on a given subject must be construed together, or that part of all laws that have remained intact, notwithstanding amendments that did not by direct affirmative action or by implication repeal the existing law. It was lawful under this act for this House to appropriate under these provisions \$1,200,000 for pneumatic tubes. It was unlawful under this act, and is unlawful under this act, for any contract to be made for the pneumatic-tube service or any sum of money appropriated for that purpose until the conditions of the act shall have been complied with. What are the conditions of the act? That the contract for this service shall be subject to the provisions of the Postal Laws and Regulations relating to the mail contracts, except as herein provided. In the law that is applicable to the pneumatic-tube service a condition precedent must be complied with before this service can be put into effect. If the service can not be carried into effect, if the law now existing prohibits its effectual use or an appropriation for it, it must remain unused until new law authorizes it. What is the condition precedent before the appropriation may be made under the law? It is this:

That no advertisement shall issue until a careful investigation has been made as to the needs and practicability of such service and until a favorable report in writing shall have been submitted to the Postmaster General by a commission of not less than three expert postal officials to be named by him.

That is a section of the law and must be considered in pari materia. That section is embodied in the very act that gives the power for the establishment and continuation of the pneumatic tubes in the United States. It is a condition precedent to the appropriation, because if the law contains a provision that prevents a service there is no power to appropriate for that service logically. The condition precedent is that a favorable report for the continuation of this service must be made by three experts appointed by the Postmaster General after the expiration of a 10-year contract. The very law itself provided for that contract. It provided for a 10-year period, which, however, expired, but which Congress extended until March next, and we are now operating under that extension. Therefore if the contract can not be made for the service under the law there can not be an appropriation for the service. That must follow logically. The condition precedent to the appropriation, to the contract, to the advertisement, to the execution of the law as provided on the very face of the act that gave

vitality to the pneumatic-tube system is that this favorable report must be made. Upon whom does the burden rest to show that the report has been made? How can and how must it be shown to this House that it may know in its legislative capacity under the law of the land, because we can not make any new law on this subject under this appropriation bill, that the power to appropriate for a service exists or that the service may be continued?

The fact is there must be a change of law before this contract can be renewed. A report has been made under the law. The Postmaster General, carrying out the provisions of the statute in order to enable him to carry out this service under the terms of the law and to obtain the appropriation for that purpose had a report made. The experts have made that report.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. MOON. In a moment. That report shows that the investigation required by the statute has been made by experts as demanded by the statute, and they say that the service ought not to be continued in any of these cities except as to the city of New York.

The CHAIRMAN. Will the gentleman allow the Chair to ask him a question?

Mr. MOON. Certainly.

The CHAIRMAN. Does the chairman of the committee contend that act limits the investigation to one investigation, or can the Postmaster General in his discretion appoint a different commission to make a reexamination or another investigation of this question?

Mr. MOON. I will read the act again:

Herein the postal laws and regulations relating to mail contracts, except as herein otherwise provided, and no advertisement shall issue until after careful investigation shall have been made as to the needs and practicability of such service and until a favorable report in writing shall have been submitted to the Postmaster General by a commission of not less than three expert postal officials to be named by him.

Mr. MOORE of Pennsylvania. What is the date of that act?

Mr. MOON. That is section 1974 of the Revised Statutes, 1902. Subsequent statutes have been passed, but that provision has not been affected by them.

Mr. DYER. Will the gentleman yield for a question?

Mr. MOON. I will.

Mr. DYER. I desire to ask the gentleman if it is not a fact a number of such investigations he has referred to have been made—more than one—under that?

Mr. MOON. I do not know of any more than this one. This is the one I referred to and of which I spoke as being an official investigation. It has been made by authority of the Postmaster General. I hold the report in my hand. The summary of the recommendations of that report is:

(a) That an advertisement be issued for proposals to perform mail service by pneumatic tubes in the city of New York, N. Y., in the territory south of Grand Central and Times Square Stations, between all points between which pneumatic-tube service is now in operation, and between the general post office of New York and the general post office of Brooklyn from March 5, 1917, until June 30, 1926, subject to cancellation by the Postmaster General on six months' notice.

(b) That a separate advertisement be issued for proposals to perform mail service by pneumatic tubes in the city of New York, N. Y., in the territory north of Grand Central and Times Square Stations, between all points between which pneumatic-tube service is now in operation, from March 5, 1917, to June 30, 1926, subject to cancellation by the Postmaster General on six months' notice.

(c) That the proposals in response to the advertisement for mail service by pneumatic tubes in the city of New York, N. Y., in the territory north of Grand Central and Times Square Stations be not considered for acceptance unless there be a material reduction from the present rate of payment.

(d) That no advertisement be issued for mail service by pneumatic tubes in any of the following cities: Brooklyn, N. Y.; Boston, Mass.; Chicago, Ill.; St. Louis, Mo.; and Philadelphia, Pa.

Now, that is the official report made in pursuance of the statutes, and it shows that there shall be no appropriation for this purpose, no advertisement for contracts, and there can not be an advertisement for contracts under the law until there is an appropriation; so it follows, of course, the appropriation can not be made according to law unless you change the law. Now, take the provisions of this law. It is not a self-operating statute. It requires the invocation of a power that is outside of the statute, so far as the execution of the law is concerned; the appointment of a committee whose investigation when made and returned to the department effectively terminates or extends the power to the department to make these contracts. Mr. Chairman, the matter is very clear to my mind. I do not know whether other gentlemen will agree with me or not, but I think this: That in view of these statutes and no repealing section of the statute in connection with the amendment to the statute, that the power of the House extends only to the authorization under the present law to contracts and advertisements recommended by the postal officials. The peculiar language of the statute means that the appropriation hereafter can extend only to the services which have been favorably recommended by the committee that puts

vitality into the law by virtue of this report. Now, the exact amount to carry on this service in the city of New York, in conformity with the report, under the law has been placed in this bill. There has been no appropriation for these other cities, and they are not entitled under the law to an appropriation. A contract can not be made for them, and the power granted in the first place by law to contract was limited by law on second or renewal contract to cities favorably reported. The additional amount of money that is provided for in this amendment over and in excess of that necessary to carry out the provisions of the report is, in my humble judgment, subject to the point of order, as the law does not authorize any appropriation for a service not authorized by law. The law in this case does not authorize an appropriation for the service.

Mr. BENNET. Mr. Chairman, I desire to be heard in opposition to the position taken by the gentleman from Tennessee [Mr. MOON] and to sustain the position taken by the gentleman from Massachusetts [Mr. TAGUE]. It seems to me his amendment is clearly in order. What is the law? It is contained in two statutes—the act of April 21, 1902, and the act of June 26, 1906. Those statutes contain some limitations, of which the most simple is that this service is limited to certain cities.

The CHAIRMAN. That is in the act of 1902?

Mr. BENNET. In the act of 1902 and the act of 1906; but there is no city named in the amendment of the gentleman from Massachusetts which is not one of the permitted cities, so that the point of order can not rest upon that portion of the law. The annual limit of expenditure is \$1,250,000. The suggestion of the gentleman from Massachusetts is \$1,061,000, so that the amount is one authorized by law.

The sole remaining question is the one relating to the power of the Postmaster General to issue an advertisement. There are two constructions of which the statute is capable, and either construction which the gentleman from Tennessee [Mr. MOON] takes is fatal to him. The construction which I myself prefer is this. The law is:

That the contracts for this service shall be subject to the provisions of the postal laws and regulations relating to the letting of mail contracts except as herein otherwise provided, and that no advertisement shall issue until after a careful investigation shall have been made as to the needs and practicability of such service, and until a favorable report in writing shall have been submitted to the Postmaster General by a commission of not less than three expert postal officials to be named by him.

Now, my contention is that when a commission has once reported as to the needs and practicability of the pneumatic-tube service in any one of the cities named, that that forever furnishes the foundation. Of course, if I am correct in that contention, then the point of order is not well taken. But let us assume that I am not correct in that contention, then the gentleman from Tennessee must argue that the Postmaster General can appoint one commission to-day, another next week, and so on, ad infinitum. This appropriation bill is for service to commence on the 1st day of July, 1917. The commission that made this report has reported and has become extinct, non constat, but the Postmaster General would, and he could if the contention of the gentleman from Tennessee is correct, appoint another commission in April, May, or June, or one commission in each one of those months, or even after the 1st of July beginning the fiscal year, and upon the favorable report of any one of those commissions the Postmaster General could then use this appropriation.

Mr. MOON. No; there is to be a committee appointed by the Postmaster General.

Mr. BENNET. That is what I said. The Postmaster General can appoint as many commissions as he pleases, one after another.

Mr. MOON. I do not think so.

Mr. BENNET. There is nothing in the law to accord with the gentleman's contention.

Mr. DYER. He has appointed three or four already.

Mr. BENNET. He has appointed three or four.

Mr. MOON. The gentleman should apply his common sense to it. That refers to that contract, of course.

Mr. BENNET. Inasmuch as the Postmaster General can not let a contract to commence until after the 1st of July, 1917, I fail to find any authority in law for him to have appointed, if that is the contention, a commission away back in 1915, to state what the conditions are going to be on the 1st of July, 1917; and I should think if you are going to depart from the words of the statute, and go to just simply ordinary horse sense, that a commission that examined the needs and practicability of the service in June, 1917, would be in far better position to state the conditions as they would be on the 1st of July, 1917, than a commission that was appointed two years ago.

So I submit that on either contention the gentleman from Tennessee [Mr. MOON] raises he impales himself on the horns

of the dilemma. If my contention is correct there, and there can be one commission, and that the original commission, then that commission reported favorably. If his contention is correct that the Postmaster General can appoint commissions from time to time, then, non constat, but that the Postmaster General will appoint other commissions, and they will report favorably, and if they do, and possibly not until then, the money that is sought to be appropriated will be at his disposal.

It seems to me the point of order is surely not well taken. I might say this same point of order was raised last year on this same section and overruled by the then Chairman of the Committee of the Whole.

Mr. GORDON. The contract had not expired last year. It expires this year.

Mr. BENNET. Of course, everybody knows that.

The CHAIRMAN. The Chair is ready to rule. Of course, the Chair would be glad to hear from any gentleman who wishes to be heard on the point of order. [Cries of "Rule!" "Rule!"]

The amendment offered by the gentleman from Massachusetts [Mr. TAGUE] proposes an increase in the amount appropriated in the bill for pneumatic-tube service to \$1,061,000, and provides that it shall be used for the pneumatic-tube service in the cities of New York, Philadelphia, Boston, Chicago, St. Louis, and Brooklyn. Under the law this pneumatic-tube service is authorized in those particular cities, and the law provides in letting contracts for the pneumatic-tube service in those particular cities the Postmaster General shall observe the law relating to letting of mail contracts except, before a contract shall be entered into for pneumatic-tube service within those named cities, he shall first appoint a commission and that commission shall report recommending that the service be used.

In the opinion of the Chair the amendment does not enlarge the number of cities authorized by law to have pneumatic-tube service. The amendment increases the amount appropriated for this service, but the amount proposed comes within the amount limited by statute. In the opinion of the Chair, if this amendment should prevail, the Postmaster General is not required to use it; but the Postmaster General would have the right, if he saw fit, to appoint another commission, and if that commission recommended the use of the service he would have funds at his disposal to continue the service as provided by law. Therefore, the Chair overrules the point of order.

Under the agreement made by the committee there shall be two hours of debate on this proposition and all amendments thereto, and under the agreement the chairman of the committee the gentleman from Tennessee [Mr. MOON] is to control one hour of that time and the gentleman from Minnesota [Mr. STEENERSON] the remaining hour. The Chair recognizes the gentleman from Tennessee [Mr. MOON].

Mr. MOON. Mr. Chairman, I want to ask the gentleman from Minnesota [Mr. STEENERSON] how much of his time is to be given to those who are opposed to this item.

Mr. STEENERSON. Will the gentleman please repeat that?

Mr. MOON. Are you in favor of the amendment to the section?

Mr. STEENERSON. Yes; I am in favor of increasing the appropriation.

Mr. MOON. What I want to get at is this: In the division of time over here there are a number of gentlemen who are opposed and who are in favor of the amendment. I want to give time to the gentlemen who oppose the amendment as well as those who favor it, but if you are going to give all of your time to those who favor the amendment you can accommodate some of these gentlemen.

Mr. STEENERSON. I do not know how these gentlemen who have asked for time all stand. I did not ask that question, but presumably they came to me because they knew I was opposed to it. But I have promised all of the 60 minutes. Now, I have not promised as many on the Democratic side as wanted time, but I have some of the Democrats on my list. It seems to me that the gentleman has been so liberal in this matter that he can take care of both sides on that side of the aisle.

Mr. MOON. Oh, I do not want to take care of anybody that you can take care of, but where you can not take care of somebody I would like to do it.

Mr. STEENERSON. I can give you the names. I promised, among others, Mr. MEEKER and Mr. OLNEY, and others—

Mr. MOON. Well, I will try to give some time to gentlemen on your side, but I would like at least to give some gentlemen who are opposed to this amendment some of the hour.

Mr. STEENERSON. Mr. OLNEY and others have asked me for time. I will be glad to give it to them if I have it.

Mr. MOON. Well, we will see about that later. I yield, Mr. Chairman, to the gentleman from Massachusetts [Mr. GALLIVAN], who I understand favors the amendment and is opposed to this item as it appears in the bill.

The CHAIRMAN. The gentleman from Massachusetts [Mr. GALLIVAN] is recognized for 10 minutes.

Mr. GALLIVAN. Mr. Chairman, I want to thank the gentleman from Tennessee for yielding this time, in view of the position I take on this amendment. It is directly opposed to his own views. Therefore I appreciate his kindness in permitting me to address the committee from my viewpoint.

I do not know whether or not we are wasting the time of the committee and of Congress in devoting two hours to this discussion of the amendment offered by my colleague [Mr. TAGUE], but it would appear from the very latest news in the Boston papers, at any rate, that perhaps after all Congress does not amount to much when it has to deal with one of the great and mighty moguls in the Cabinet of the President of the United States. [Laughter.] For days, almost weeks, we have been somewhat upset and concerned as to whether or not a distinguished citizen of Boston has been holding this Congress in contempt, and time, words, and money have been spent by the Members of this House and by committees of this House in trying to reach a conclusion as to whether or not Thomas W. Lawson, of Boston, holds Members of Congress in contempt.

Well, let me say to my colleagues who are here present to-day that there is a gentleman here in Washington who holds you in contempt, and he does not care whether you vote for the amendment which my colleague has just offered or not. If he has his way he does not propose, despite the action of the Congress of the United States, to spend this money which we are about to vote, in my opinion, for the continuation of the pneumatic-tube service in the big cities of this country.

Last night's Boston Globe has the following paragraph:

About 40 motor vehicles will probably be needed for local transportation of the mails after the abandonment of the pneumatic-tube service, according to Charles P. Stearns and I. O. Keen, post-office inspectors from Washington, who are in Boston to-day checking up the plans of Postmaster Murray—

Another mighty mogul, who has grown so great since he ceased to be a Congressman that you would not believe he is the same little Billy that we knew down here. [Laughter.] But he has achieved his present hauteur after basking in the presence of Cabinet officials, and he does not now care for you men whom he once loved so dearly. I read further:

It is understood that the department favors the postmaster's scheme to have the Government assume the work of local transportation exclusively by automobiles—

And so forth. Now, Mr. Chairman—

Mr. HULBERT. Mr. Chairman, will the gentleman permit an interruption by a very brief question?

Mr. GALLIVAN. Certainly.

Mr. HULBERT. When the postmaster of Boston was a Member of the House, did he not favor pneumatic tubes in Boston?

Mr. GALLIVAN. I will say to the gentleman in response to his inquiry that when I came to Congress the present postmaster at Boston was my guide, counselor, and friend. [Laughter.] He made me a very strong advocate of the pneumatic-tube service. Years ago, before I became a Member of Congress, I had been a stockholder in one of the companies, and I had lost almost my inside shirt. [Laughter.] Stock for which I had paid \$20 a share went down to little or nothing, when I disposed of it for keeps.

Mr. GORDON. Mr. Chairman, will the gentleman—

Mr. GALLIVAN. Oh, sit down. [Laughter.] But when the question of pneumatic tubes was under discussion, once upon a time, naturally I did not feel kindly toward the proposition, and the present postmaster of Boston persuaded me that I was wrong, and that whatever had been the matter with the pneumatic-tube service in Boston, it was not the tubes; it was the management of the then existing company. And in reply to the query of the gentleman I want to say to my colleagues on the floor that not only was the present postmaster of Boston an advocate of the pneumatic-tube service when he was in this body, but according to a report of five distinguished business men in Boston specially selected from the chamber of commerce the postmaster of that city assumed a very different attitude when interviewed by its members a few months ago from that which he took when he came before the Committee on the Post Office and Post Roads a few weeks ago.

Far be it from me to say that the attitude of the postmaster of Boston is somewhat directed by the fact that the Postmaster General is something of a boss. [Laughter.] Why, I have had a former postmaster in one of the big cities of this country tell me within the week that when he was ordered a few years ago to make discharges of certain men grown gray in the service and he refused to do it, he was almost threatened with removal.

Mr. Murray and my informant were on the carpet at headquarters here in Washington. Pointing out a gentleman who had recently been promoted to a high post-office position in this city, Mr. Burleson said, "There is the kind of man for you to pattern after. He is saving me \$200 a day." And the postmaster of the big city to whom I refer, turning to a little postmaster from another big city, said, "Let us resign." And the little postmaster said, "You are getting hot under the collar. Let us think it over. I get \$8,000 a year and you get \$6,000 a year. We do not want to resign so quickly." And they did not. [Laughter.] And the Postmaster General did not remove them. But some of the little postmasters from big cities have long memories, and are perhaps afraid that what was once threatened might come about if they do not pursue the straight and narrow path outlined for them by the Postmaster General of the United States. [Laughter.] They listen for the master's voice.

Now, Mr. Chairman, I submit to this House that the people in my city have been spending millions of dollars for subways in Boston, and—

Mr. HULBERT. Mr. Chairman, will the gentleman from Massachusetts permit another very brief interruption?

The CHAIRMAN. Does the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. HULBERT. If, as we were told yesterday, the Postmaster General has recommended the installation of the pneumatic tubes at Dallas, Tex., is it because the congestion down there is greater than it is at the Hub, in Boston?

Mr. GALLIVAN. Well, I might reply to the gentleman from New York that in all probability the Postmaster General has the same idea as to congestion in Boston as I am told a member of the Committee on the Post Office and Post Roads has as to the length of time the tubes to the lively city of The Bronx, as I will call it, are used by the people of New York. I have read the statement that a member of the Post Office Committee thought that the great borough of The Bronx was a summer resort. Perhaps the Postmaster General feels that the business streets of Boston are not congested all the year round.

Mr. MOON. Will the gentleman allow me to interrupt him?

Mr. GALLIVAN. Why, certainly.

Mr. MOON. I have heard that statement made two or three times about some member of the Post Office Committee. I think it is hardly fair unless you tell us who it was.

Mr. GALLIVAN. I read it in the Record.

Mr. MOON. You do not know anything about it, then.

Mr. GALLIVAN. Not a thing. I assure the gentleman from Tennessee that the story is not original with me. I read it in the record of this debate. I think it was spoken on the floor here the day before yesterday.

Mr. HULBERT. Do all the statements contained in the Record purport to be true?

Mr. GALLIVAN. Always true. Now, I was about to say, Mr. Chairman, that the people of Boston have spent millions on subways. They have been compelled to do so because of the conditions of surface transportation in Boston, particularly in the business sections, and it is there that the pneumatic-tube service is performing its greatest good.

I want this House to know that of all the cities where the tube systems have been operated the difficulties of surface transportation are greater in Boston than elsewhere. Our people, I have said, have spent millions in the last few years for subways merely because of the unbearable congestion of surface traffic. This is particularly true in the business sections of Boston, and I repeat it is here that the underground pneumatic mail-tube system is of greatest service. The efficiency of these tubes as contrasted with surface travel is especially marked in winter, when trains are late and progress on the streets is hampered by heavy snowstorms. During our blizzards—and we have them up there—street traffic is often entirely blocked for hours, and it is subjected to long delays for days at a time. At such times we see the real advantage of pneumatic tubes, as these conditions have no effect upon underground dispatch of mail.

I notice that the claim has been made that the tubes in Boston are used only to a small per cent of their capacity, and that the rental of \$17,000 per mile per year is too high as based upon such use. Does any man within the sound of my voice believe that there is any such thing as a hundred per cent use of capacity in any utility? A telephone line, a railroad, a mail box, and other utilities are never used to their fullest capacity and could not be so used. I will admit that the average use of the tubes over the entire period of 20 hours per day amounts to less than half of their maximum capacity; yet at certain periods of the day, at night and morning, the tubes are running at what is practically full capacity, while during the lightest

hours of mail service the use of the tubes dwindles down to small proportions.

Mr. Chairman, a special committee of the chamber of commerce in my city has made an exhaustive study of postal facilities with reference to the pneumatic-tube service in Boston. Five of our leading merchants made up that committee, and I take their judgment in preference to that of the postmaster of Boston, who, according to a member of the committee, assumed a very different attitude when interviewed by its members from that which he took when he appeared before the Committee on the Post Office and Post Roads a few weeks ago. These captains of industry are unanimously and strongly in favor of retaining the tube service in Boston, and they believe it has proved itself an indispensable aid to the delivery of mail in large cities. When the Government spends millions upon rural free delivery and is willing to spend a comparatively large sum of money in sending a small amount of mail to remote parts of the country, it seems unreasonable to suppose that the department, in the hope of making a saving, will turn its back upon the pneumatic mail-tube systems, which were installed at its own request and have proven highly successful in developing the efficiency of the mail service in the very heart of the country's business.

If, as is alleged, our valiant Postmaster General has developed an automobile bug, let him try this method elsewhere and not in Boston, where our streets, historic and unique as they are, are narrow and crooked and twisted. We want the tubes to stay in Boston, and, as a representative of its people, I appeal to the House to give us your help. [Applause.]

What I have said as to congestion in Boston applies with greater force to congestion in the great city of New York, and there the men who operate the giant motor trucks now in the service of the Post Office Department apparently have but little consideration for life and limb of those who use the main thoroughfares of that city. I quote from the New York Times of yesterday this paragraph which describes conditions as they existed this very week:

TO CURB MAIL TRUCKS—SWANN STARTS TEST CASE TO FIX JURISDICTION.

A test case to determine whether automobile trucks carrying mail within the city are immune from city and State traffic laws and regulations has been instituted by District Attorney Swann, who issued a summons yesterday for the appearance of Thomas McDermott of 222 East Forty-ninth Street, driver of a mail truck which collided with an automobile belonging to Martin Carey, general counsel to the Standard Oil Co., on Wednesday night.

Mr. Swann saw the accident, which occurred at Fifth Avenue and Fortieth Street. He said that Mr. Carey's automobile was going up Fifth Avenue at a slow speed when the mail truck came out of the side street at a speed, he estimated, at 22 miles an hour. The driver of the truck did not stop to see what damage had been done, the district attorney said, but continued at the same speed through Fortieth Street. Mr. Carey's machine was wrecked.

I heard the testimony of Mr. Thomas Myers, inspector in charge of the traffic department, New York police, touching on the manner of operating these mighty trucks, wherein he said that when the chauffeurs in the service of the Government violate any law, whether it be one regulating street traffic or otherwise, they must not be in any way interfered with or stopped, but the officers must proceed with them to the end of their routes, no matter where that may be—at the end of upper Manhattan—before they are placed under arrest. Mr. Myers insisted that the addition of a single motor vehicle of the kind used by the Post Office Department to the thousands of vehicles now causing blockades in the street traffic of the metropolis would materially increase congestion there, and so it is in Boston. I was a street commissioner there for 14 years before I came to Congress. It was our duty to try in some way to relieve traffic congestion, and in 1907 the board of which I was a member established certain rules. We did the best we could at that time, and those rules have been added to year by year, and yet congestion is altogether as bad in down-town Boston around the business center as it ever was.

Do not, I beg of you, make those conditions more intolerable by a substitution of automobiles for the tubes which are underground, out of the way, and in no wise obstructive or dangerous. I have a confidence that the intelligence of this House will lead it in the direction that the Members from the great cities of our country would have Congress go. I appeal to you, whether you come from the city or the country, to stand with us. [Applause.]

A PENSION FOR POST-OFFICE EMPLOYEES.

Mr. Chairman, it occurs to me that this is a very proper and appropriate hour in which to call to the attention of Congress the repeated and ever-present necessity for the enactment of a retirement law which will operate in favor of men in the Postal Service who have spent years of their lives in faithful and efficient service, cheerfully rendered to the Government under

which we live. I believe that we can afford, when a general discussion of matters affecting the post-office management of this country is occupying the attention of the House, to devote some part of this discussion to the men in the ranks, the men who do the real work and who get the little reward. I will speak to the Members on both sides of the aisle here, but first of all I desire to address myself to my Democratic brethren. May I say to you that I speak in behalf of the men, not only of my own city and State who have asked me to make this appeal, who have made the Post Office Department of this Government the one great successful, profit-making branch of our Federal activities. They live in the South as well as in the North, in the East as well as in the West.

So much publicity has been given to this question that the committee on resolutions of the national Democratic convention held in St. Louis, Mo., in June, 1916, submitted the following recommendation which was approved and made a part of the Democratic platform:

The enactment of an equitable retirement law providing for the retirement of superannuated and disabled employees of the civil service, to the end that a higher standard of efficiency may be maintained.

While the Republican platform of the last national convention is silent on this subject, it is well to note that the platform of 1912 of the Republican Party contained the following declaration:

We favor legislation to make possible the equitable retirement of disabled and superannuated members of the civil service, in order that a higher standard of efficiency may be maintained.

Added to this the Republican nominee for President publicly declared in favor of enactment of a retirement law for civil-service employees during the campaign.

This is not a political question and it should not be decided as one. Both parties are committed to the enactment of legislation to relieve the civil service of the superannuates, and the matter should be settled from the standpoint of benefit to the public service and justice to the employees. There are many conflicting opinions as to the best means of solving this problem and the advocates of different plans have submitted their views and arguments in favor of each. The Griffin bill, designed to meet the situation, has been approved by a majority of the Post Office Committee, and I hope it will be enacted into law at this session of Congress. The bill is an administrative one and is intended to grant immediate relief to the employees in the Postal Service who have become incapacitated through superannuation. The need for this legislation is urgent and I believe apparent to a majority of the Members of this House. At the public hearings held on House bill 6915, known as the indefinite-leave-of-absence bill, held on April 7 and 8, 1916, more than 100 Members of Congress appeared before the subcommittee on the Post Office and Post Roads and gave the measure their indorsement and urged that favorable action be taken on it.

The initial cost and the future maintenance of this indefinite-leave-of-absence bill will not be so large as to become a financial burden upon the finances of the country. Mr. Miles M. Dawson, of New York, a consulting actuary of national repute, computed the cost for the first fiscal year at \$362,250, equal to about three-tenths of 1 per cent of the salaries of the employees that will come under its provision. We can not limit the benefit to be derived from this legislation by what appears to be its cost. No important legislation has ever been enacted that did not involve some apparent financial cost yet in the end proved to be an economical proposition.

The contention is made by some well-meaning people that self-dependent men and women should be required to save a sufficient amount from their earnings to provide for their wants during old age. To show how impractical this argument is, I quote from a pamphlet issued by the Phoenix Mutual Life Insurance Co., of Hartford, Conn.:

Statistics which are unimpeachable though astounding to the busy man who has not had time or facilities for looking up these things are furnished by Prof. Charles Spahr, of the Columbia University, after an examination of the surrogates of 35 leading counties in New York for the purpose of ascertaining the proportion of people who leave estates at their death.

Of 10,000 above the age of 25 who died in that quarter of the year only 3,351 left any estate whatever; only 50 per cent of the heads of families left even a savings-bank account.

Of the 3,351 "estates," only 884 were worth over \$5,000. The average value of the other estates was \$1,292. In other words, 66 per cent left no estates, 25 per cent left estates valued at \$1,292, 9 per cent left estates of \$5,000 and up. This is one of our foremost States.

We know also that an amazingly large proportion of men who are comparatively prosperous at age 45 are partially or wholly dependent on friends or the public at age 65.

Further, Government statistics show that 32 per cent of all widows have to earn their own living, and we all know that the major portion of widows have to give up many of the comforts and necessities they enjoyed earlier in life, while their children are terribly handicapped.

When the postal employee becomes incapacitated from performing his duties through superannuation or any other cause he is turned out of the public service and left to shift for himself as best he can. As very few men accumulate anything in life, it is almost a certainty that these worn-out men and women are left wholly dependent on friends or the public. I have had a number of very sad cases brought to my attention of men who gave all the productive years of their lives to the service of the Government and when turned adrift they died homeless and in want.

A few days ago I received a letter from one of my friends in which he drew attention to the sad case of a letter carrier in Denver, Colo. The letter contained the statement that—

A letter carrier named Dan Mahoney is in a precarious condition, and the doctor holds out no hope for his recovery. To the poor fellow's other ills complete blindness is now added. He can not see the beautiful flowers that the local association of letter carriers constantly keeps in the sick room, but he is still conscious and, stranger yet, still cheerful and thankful, not alone for the mere presence of these fragrant tokens, but for what they represent. "Old Dan" assured the writer that of all his friends on earth the letter carriers held the highest place in his heart.

It is sad, indeed, to contemplate the numerous cases in the United States like this old veteran, where the Government they serve so faithfully for a lifetime has forgotten them completely, and the comrades in gray alone have come to the rescue. Just a little kindness, a little sympathy, make the word "fraternity" a reality. We are living in an age of hope and progress—more hope than progress, however, in some things. When honorable retirement is an assured fact and our country has taken her stand with the other nations in this respect, the red, white, and blue of the "Grand Old Flag" will look a little brighter for many of us.

Mr. Chairman and gentlemen, this is the future that awaits your old letter carrier and the other employees of the Postal Service that have devoted their lives to its progress. You would not treat your horse or your dog in such a manner; you would, at least, make suitable provision for the declining years of a faithful animal. I ask that you give like consideration for these postal employees that are human beings like you and me. They have given a lifetime of service to the Government at salaries that would not permit of saving anything to keep them from want for the short time they have left to live. This they have justly earned, and in the name of justice and humanity let us pay our just dues.

I will submit as part of my remarks the recommendations of Cabinet officers and chiefs of bureaus on the question of superannuation of civil-service employees of the Government:

RECOMMENDATIONS OF CABINET OFFICERS AND CHIEFS OF BUREAUS IN THEIR REPORTS TO CONGRESS ON THE QUESTION OF SUPERANNUATION OF CIVIL-SERVICE EMPLOYEES OF THE GOVERNMENT.

Secretary of Labor:

SUPERANNUATION AND RETIREMENT.

In a previous report of the department attention was drawn to the difficulties confronting executive officers of the Government impelled in the interests of good administration to dispense with the services of employees whose efficiency has been materially impaired by advanced years. On the one hand they are met with the fact that the business of the Government could be more efficiently handled by the replacement of these superannuated employees with younger and more active persons, whereas on the other there looms up before them the specter of hardship, and in many cases absolute want, which would be enforced upon faithful servants if they were thus to be summarily removed from the only means of gaining a livelihood for which through years of training they are qualified.

It is inevitable, therefore, that until such time as heads of departments can accomplish this change in the personnel without visiting undue hardship upon their subordinates they will be deterred by a consideration of the humanitarian phase of the matter from taking such action as the situation seems to demand.

The department accordingly reiterates its recommendation that there be provided through legislative enactment an equitable system of retirement, a system which will best subserve the interests of efficiency and economy and at the same time insure fair financial provision for those who through long and faithful service are entitled to some consideration in their declining years.

Secretary of the Treasury:

RETIREMENT OF CIVIL-SERVICE EMPLOYEES.

The need for an adequate civil-service retirement law is becoming more imperative each year. The Treasury Department bears upon its rolls a large number of aged employees whose efficiency is gradually waning. The introduction of new and improved methods of performing the constantly increasing volume of work in the department has served to emphasize the need for making some provision for the older employee who is unable to keep step with progress. It does not seem humane or fair to discontinue arbitrarily the services of superannuated employees who have given their entire energies and spent the best years of their lives in the service of the Government. To do so would in most cases leave the employees without any source of income and result in serious hardship. To reduce aged employees does not entirely meet the needs of the case, as it leaves the employees still on the rolls of the department.

I believe that the enactment of an equitable retirement law for superannuated and disabled employees of the civil service in the Treasury Department would result in actual economies and increased efficiency in the handling of the business of the department, and I therefore recommend this subject to the Congress for its serious consideration.

Secretary of War:

RETIREMENT OF GOVERNMENT EMPLOYEES.

An examination of the reports of my predecessors for a number of years shows that they have continuously recommended consideration of

the subject of an equitable retirement law providing for the retirement of superannuated and disabled employees of the civil service. I am very happy to renew the recommendation. From time to time bills have been introduced into Congress providing for such retirement, but as yet none has been enacted into law. In the meantime, various industrial and transportation companies have found it to their interest to retire and pension superannuated employees. The Federal Government is and should be a model employer. The provisions now made by the Government in the matter of compensation, hours of labor, vacations, sick leave, and holidays are all wisely generous both as an example and as establishing a harmonious and helpful relation between employer and employee, which both conserves the spirit and health of the employee and secures for the employer that willingness and good will out of which service of maximum efficiency naturally arises. There seems to remain as the chief thing yet to be done this provision of retirement upon superannuation. The law ought not, in my judgment, to provide a mere service pension as has sometimes been done in municipal and State services in this country, under which employees who have served a stipulated number of years are authorized to retire irrespective of their ability still to render competent service. The law ought, rather, upon a minimum service required, to authorize retirement either for disability arising in the course of the service or occasioned by the service itself, and this retirement should be in the hands of a competent authority which would determine the inability of the particular employee further to render adequate service in his place of employment. The effect of such a law would be to give an assurance of a competent and comfortable old age. It would relieve the employee from fear of loss of occupation and of livelihood, would further inspire him to loyalty to the Government as an employer, thus improving the general quality of the service rendered by Government employees, although that is already high, and would permit the replacement of some employees in the various departments who have long and faithfully served the Government and reached venerable but enfeebled years without having had an opportunity to accumulate any competence upon which their retirement can rest.

First Assistant Postmaster General:

FORECASTED IMPROVEMENTS.

* * * Two reforms are of paramount importance—retirement of superannuated employees and opportunity for transfer and promotion through all grades of the Postal Service. The subject of superannuation in the Post Office Service has been discussed in previous reports. The administration of the service during the past year strengthens the conviction that the retention of employees in positions of responsibility after they have passed the point where they are no longer capable of performing satisfactory service is a constant incubus which should be removed by legislative action. * * * These measures, being in the interest of the employees as well as of the Government, are to be desired for the direct and important benefits that will flow from them, and also for the reason that the best results in this great cooperative endeavor can only be secured by such fair and generous treatment of the working force as will insure their loyalty and ambitious effort.

Secretary of Commerce:

PERSONNEL.

* * * That the efficiency of the executive civil service is seriously impaired by reason of its superannuated employees, and that the prompt enactment of some equitable form of retirement law is one of its greatest needs, are facts conceded by practically all persons who are at all familiar with the problems of the service. Efficient service and justice to employees demand a comprehensive, wide-reaching, and effective scheme of retirement pensions, the advantage of which is being more and more widely recognized by progressive commercial establishments and by foreign Governments. While doubtless the cost of a civil-service retirement scheme would for a few years add to the expense of administration, it would be a good investment, and in a short time the service would be recouped the additional outlay many times over by the saving it would render possible. The standard of efficiency would be raised, the work could be done with less force, and this would be accomplished without heartlessly throwing out of employment men and women who for decades have given their best service to the Government and who have no means of subsistence other than their decreasing salaries.

RETIREMENT OF AGED AND DISABLED EMPLOYEES.

A marine officer of the Lighthouse Service who has served for 40 years recently told me he hoped for the coming of a retirement system which would provide something for his old age after so many years of faithful work. A provision for the retirement of the employees of the Lighthouse Service who after long service have lost their ability for further active duty by age or disability arising from their work is essential to full efficiency in administering the service. In the Army, the Navy, the Marine Corps, and the Coast Guard, including those who serve on the Coast Guard cutters, such a retirement system now exists. The result is an unjust and, I think, an unintentional discrimination against those who serve in one service and in favor of those who serve in others. The men who man the lighthouse ships and who serve in the various light stations give their lives to the Government as truly as does an Army or Navy officer. Many of them would, by reason of their special knowledge, be required to aid our military forces in time of war.

The Lighthouse Service is in many respects a dangerous service. By every rule of administration and of humanity and by the precedent of the practice both in our own Government in other services and of other Governments as respects this particular kind of work, these men are entitled to retirement pay.

In the annual report of the Commissioner of Lighthouses for the fiscal year 1912, page 20, is a statement showing the practice of foreign countries with reference to pensioning employees in other lighthouse services. This shows that a retirement system is in force with favorable results in all of the countries mentioned. The record is one of unenviable isolation and inaction on our part.

On April 24, 1916, the Senate unanimously passed a bill which, in its present form, provides for the optional retirement of officers and employees of the Lighthouse Service at the age of 65 years after 30 years' service and for compulsory retirement at the age of 70 years. The retirement pay would be at the rate of one-fortieth of the last annual pay for each year of active service, not to exceed thirty-fortieths. The measure has my cordial approval and the warm indorsement of the Senate Committee on Commerce backed by its unanimous passage. It is pending in the House of Representatives, and I earnestly hope it may soon be enacted into law. It has been recommended in the annual

reports of the Lighthouse Service every year since 1910. It ought now to be done and done quickly.

RETIREMENT.

The serious question of retirement for civil-service employees, while probably affecting more or less all the bureaus of the Government, is so specially evident in the Coast and Geodetic Survey that some specific retirement provision should be made for its engineers. The bureau is somewhat handicapped to-day on account of the fact that a number of these highly trained men, who have served the country faithfully for nearly 50 years and have largely the same education as the graduates of Annapolis and West Point, have now reached the age where the duties they once performed are too irksome for their advanced years. It necessarily results in a hardship for them to undertake to perform such arduous tasks.

The small salaries these hydrographic and geodetic engineers, who are also navigators, have received during their tenure of office have not been adequate for them to save any considerable amount of money. The result is that in their advancing years they are forced to attempt to continue at their duties, when at the age of 64 they should be allowed to retire at a substantial pension, the same as an Army, Navy, Public Health Service, or Coast Guard officer. It is not justice, under prevailing conditions, to ask that these men retire from the service. At the same time, frankly speaking, the service is handicapped, inasmuch as their places should naturally be filled by younger men who are better able to meet the hardships.

To-day in the Coast and Geodetic Survey there are 15 or more men who have passed the retirement age, and they should be properly cared for by the Government to which they have devoted their lives. No one except those in touch with the situation can realize what their services have meant to this part of the Government work. While I have particularly dwelt on the question of retirement for hydrographic and geodetic engineers here, other aged employees of the bureau are deserving of recognition under retirement legislation, but along different lines.

Civil Service Commission:

RETIREMENT.

Superannuation is older than the civil-service act, and any increase does not result from the merit system. That system does not protect incompetents. Improved administrative methods and the standardization of salaries can not be effectively made until a retirement system is established which will provide for superannuated employees. The commission believes that a contributory plan would be just and practicable, and earnestly recommends its adoption.

Department of Commerce, Superintendent of the United States Coast and Geodetic Survey:

RETIREMENT.

The serious question of retirement for civil-service employees, while probably affecting more or less all the bureaus of the Government, is so specially evident in the Coast and Geodetic Survey that some specific retirement provision should be made for its hydrographic and geodetic engineers. The bureau is somewhat handicapped to-day because of the fact that a number of these highly trained men, who have served the country faithfully for nearly 50 years and have had largely the same education as the graduates of Annapolis or West Point, have now reached the age where the duties they once performed are too irksome for their advanced years. It necessarily results in a hardship for them to undertake such arduous tasks.

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To-day there are 15 or more men who have passed the retirement age, and they should be properly cared for by the Government, to which they have devoted their lives. No one except those in touch with the situation can realize what their services have meant to this part of the Government work. While I have dwelt particularly on the question of retirement for hydrographic and geodetic engineers here, other aged employees of the bureau are deserving of recognition under retirement legislation, but along different lines.

Department of Commerce, Chief of Appointment Division:

SUPERANNUATION AND RETIREMENT.

A careful study of American institutions and the political trend of to-day indicates the rapid extension of the policy of compensatory retirement of aged and disabled employees, both as an accepted economic theory and as an actual practice, and the passage of a civil-service retirement law by Congress in the early future may be accepted as a reasonable certainty. As illustrating the increased interest shown in the matter during the present session of Congress, 11 bills have been introduced providing for retirement pensions and 10 for compensating employees injured while in the service. Of the bills in question, 6 were contributory, calling for a deduction from employees' salaries to meet, or partly meet, the cost of the scheme, and 11 were noncontributory. The enactment of a law of this character is justified as making for the improvement of the public service and the perpetuation of the merit system. The long-existing condition of old-age inefficiency is each year becoming a more detrimental burden upon the merit system, any departure from which would be deplorable from an administrative point of view. Efficient service and justice to employees demand a comprehensive, wide-reaching, and effective scheme of retirement pensions, the advantage of which is being more and more widely recognized by progressive commercial establishments and by foreign Governments.

While doubtless the cost of a civil-service retirement scheme would for a few years add to the expense of administration, it would be a good investment and in a short time the service would be recouped the additional outlay many times over by the saving it would render possible. The standard of efficiency would be raised, the work could be done with a smaller force, and this would be accomplished without heartlessly throwing out of employment men and women who for decades have given their best service to the Government and who have no means of subsistence other than their decreasing salaries, which have been rendered still smaller in proportion by reason of the rapidly

increasing cost of living. Indirectly the Government is now pensioning such employees by keeping them on the pay rolls, even though their value to it is in reality less than the compensation paid them, but "kindness will creep in where it mauna gang," and officials will feel constrained to ignore conditions rather than cause a hardship by rewarding faithful service with dismissal to a future of poverty. To those who have given the subject intelligent thought there is no difficulty in deciding that it is a far better business policy to drop its veteran employees, pay them a part of the compensation they are now vainly endeavoring to earn, and replace them by younger persons, who, with improved opportunities for promotion, would reach a higher standard of efficiency, than to perpetuate the conditions which now pervade the service and which will continue to exist until remedial measures are put into operation.

In laying down a fundamental basis for his philosophy on economics Herbert Spencer said: "No State or society or no form of government can long persist that fails to penalize indolence or reward merit." The retention of superannuated employees penalizes efficiency and is a bar to the proper reward of merit, and it behooves those who have at heart the good of the Government service and the well-being of its employees to give careful consideration to working out, without hardship to those concerned, the problem of removing superannuated employees.

In this connection it might be interesting to note that in a compilation prepared in December last it was shown that in the Department of Commerce there were 144 employees from 65 to 69 years of age and 150 employees of 70 years and upward.

Director of the Census:

EXECUTIVE CIVIL SERVICE.

A bulletin presenting statistics relating to the employees in the executive civil service on July 1, 1916, will be compiled and published. The data will be supplied, on individual cards, by the various departments and other governmental establishments. The Bureau of Efficiency will have charge of the distribution and collection of these cards, and after making use of the data on them as a basis for estimating the cost of civil-service pensions will turn them over to the Census Bureau for the purpose of the statistical compilations required for the proposed bulletins.

Two similar bulletins have already been published, one relating to the year 1903 and the other to the year 1907. In these bulletins the employees in the executive civil service are classified by departments and bureaus and by sex, age, race, nativity, marital conditions, compensation, length of service, etc. In 1907 the total number of employees, both in and outside of the District of Columbia, was 185,874, and it is estimated that the number at the present time is not far from 320,000.

Commissioner of Lighthouses, Department of Commerce:

* * * There is a great need for provision by law for the retirement of employees of the Lighthouse Service who after long service have lost their ability for active duty by reason of age or disability incident to their work. This is essential to full efficiency in the administration of the service. In the report for 1912 a statement was given showing the practice in a number of important foreign countries with reference to the pensioning of employees in the respective lighthouse services in common with other civil employees in those countries, from which it appears that a retirement system is in force with favorable results under all of the other Governments mentioned. On April 24, 1916, the Senate unanimously passed a bill providing for the optional retirement of officers and employees of the Bureau of Lighthouses and the Lighthouse Service at the age of 65 years after 30 years' service, and compulsory retirement at the age of 70 years. The retirement pay would be at the rate of one-fortieth of the last annual pay for each year of active service, not to exceed thirty-fourths. The bill has not yet been acted upon by the House of Representatives.

This action marked the first legislative step toward a system of retirement for the Lighthouse Service, which has been earnestly recommended in previous annual reports every year since 1910. The measure had the warm indorsement of the Secretary of Commerce and of the Senate Committee on Commerce, and it is hoped that Congress may see fit to enact it into law at an early date.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON. Mr. Chairman, I am not going to discuss this question now, but in connection with this matter I want to place in the RECORD an answer to some inquiries made by the gentleman from Pennsylvania [Mr. MOORE] and others yesterday in reference to the vehicle service. The information on this subject is found on page 237 of the hearings on pneumatic tubes.

Vehicle service is a combination of the screen-wagon service, which was transferred from the bureau of the Second Assistant to the First Assistant on July 1, 1916, and city-delivery horse hire. Expenditures will be made from this appropriation to reimburse city letter carriers for furnishing wagons or automobiles, for the rental of wagons or automobiles under contract or agreement from outside parties, and for the purchase, exchange, and maintenance, including stable and garage facilities, of wagons or automobiles for the delivery and collection of mail at city-delivery offices, and for the transportation of mail in bulk to and from railway depots.

The increase in this item for 1918 is less than the normal increase.

I understand that answers the gentleman's question.

Mr. MOORE of Pennsylvania. This relates to a preceding paragraph, does it not?

Mr. MOON. Yes; that is what I say. It is in reply to the gentleman's questions that I want to put the statement in the RECORD.

The CHAIRMAN. Does the gentleman desire to insert something in the RECORD?

Mr. MOON. No; what I have said about it will appear in the RECORD. A question was asked here yesterday about whether the new public building in Dallas, Tex., was to have the pneu-

matic-tube service installed in it. I have a letter from the Postmaster General in which he says that the tube service is not to be installed at Dallas, that there is no recommendation for it, and that the plans for that building are not yet completed. I make these statements in answer to the suggestions made. I may discuss this question a little later.

Now, Mr. Chairman, we are in this fix about time. I want to be liberal, but the gentleman from Minnesota [Mr. STEENERSON] does not seem to have any disposition, after the time is accorded to him, to give it to anyone except somebody on his own side. There are a number of gentlemen here all around me who are demanding that I give them a part of my time to speak in opposition to the proposition of the Post Office Committee. I think it is the duty of the gentleman from Minnesota to yield time to them. I have an hour, and I have already given 10 minutes in opposition to the bill. I can not yield any more time except to my own side of this question. If I did, I should have everybody speaking against the committee and nobody for it. I yield five minutes to the gentleman from Ohio [Mr. GORDON].

Mr. TAGUE. Will the gentleman permit me to make a statement before he does that?

Mr. MOON. I have yielded to the gentleman from Ohio.

Mr. GORDON. Mr. Chairman and gentlemen of the committee, the city of Cleveland, which I represent in part on the floor of this House, is very much bothered with this proposition of congestion, to which so much reference has been made in this debate, and last summer an important civic body of that city considered very seriously this question of pneumatic-tube service and urged upon me the importance of having Cleveland inserted in the list of cities to have that service. Therefore, I have given some time and attention to the investigation of the question since I returned to Washington. Now, it seems to me that what is being attempted here is a vain and useless thing, in view of the provisions of the law authorizing the use of this pneumatic-tube service, which provisions have been read here to the House by the distinguished gentleman from Tennessee, the chairman of the Post Office Committee, Mr. MOON; because even though the House votes this appropriation, it is entirely a matter in the discretion of the Postmaster General, and as a matter of law I think by the statute he is prohibited from continuing the service or from making a new contract with this Pneumatic Tube Co. until he has a favorable report from the experts; and as we know, their report is against the further use of these tubes except in New York City.

Now, this is a business proposition pure and simple. I wholly disagree with the gentleman from Illinois [Mr. MADDEN], who stated on the floor of the House here that he had carefully investigated this question, and he did not think the tubes were a good business proposition, but that out of deference to the sentiment in Chicago he was going to vote for them. I think that is a perfectly foolish attitude for a Representative to take in the American Congress upon a purely business question like this. Of course, I believe in representative government. I think that on questions of public policy we ought to represent our constituents. For example, there are two questions on which we will probably have to vote here, prohibition and woman suffrage. Now, I think a man who came down here and undertook by a constitutional amendment to force on the people of his State and district either one of those propositions which they had voted down, would be guilty of treason to the principle of representative government. But that has nothing to do with this proposition, which is purely a business question. I take it that these tubes are a good thing or they are not. Now, we have the testimony of these experts in the Post Office Department who have carefully investigated the question, and they recommend that the tube service be discontinued. Furthermore, we have the testimony of the present postmasters at Chicago and Boston.

Mr. HULBERT. Will the gentleman yield?

Mr. GORDON. No; I do not yield.

Mr. HULBERT. Is the gentleman afraid to answer a question?

Mr. GORDON. Mr. Chairman, the gentleman from Massachusetts [Mr. GALLIVAN] a moment ago called attention to the fact that when the present postmaster at Boston was a Member of this House he was in favor of these pneumatic tubes, just as the other fellows now here are; that when he was appointed postmaster he had an opportunity to investigate the operations of the tubes and then he changed his mind. Is there anything strange or wonderful about that? I never heard of such an argument. The idea that when a man learns something and changes his mind he must be assailed from the floor of the House is something new. I understand the gentleman from Illinois [Mr. MADDEN] testified before the Post Office Committee

that he could deliver more mail in a wheelbarrow than they did by the pneumatic tubes. What sense is there in spending \$500,000 for a service that is practically worthless upon the testimony of the only men who are qualified to speak on that question?

Now, I do not question the motives of these gentlemen from the cities who advocate these tubes. They are advocating the thing because there is a sentiment for it. Would you take the testimony of these gentlemen in preference to that of the executive department of the Government? The statute itself says that you can not spend the money until a favorable report of an expert commission has been made.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HULBERT. I would like to ask the gentleman from Ohio if he will in my time answer a question.

Mr. GORDON. Yes; if I can.

Mr. STEENERSON. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. DALLINGER].

Mr. DALLINGER. Mr. Chairman, if there is any one thing that is absolutely proved and is self-evident to anyone who lives in one of these cities concerned, or who is familiar with the conditions in the congested parts of these cities, it is that the movement of passengers or freight or anything else on the surface by automobile or by any other kind of a vehicle is becoming less and less rapid and less and less certain.

Now, it is a fact that the unanimous sentiment of the people of these cities, irrespective of political affiliations, is in favor of the retention of the pneumatic-tube service, because the business men know that the continuance of this service is absolutely indispensable not only to the people in these cities but to the business of the entire country. I wish those members of the Committee on the Post Office and Post Roads not familiar with the conditions could come to Boston or New York and see the situation. Something was said in debate the other day about Cambridge, the city which I have the honor to represent, and which is just across the river from Boston. Before we had our Cambridge subway I used to have to allow at least three quarters of an hour—45 minutes by electric car—in order to be sure to meet an engagement at Cambridge, distant only $3\frac{1}{2}$ miles from my office in Boston, simply because of the congestion on the surface. Now, by taking a train in the subway I can make it in 7 minutes.

The gentleman from Ohio [Mr. GORDON] referred to the postmaster at Boston, former Congressman Murray, and said that he had learned something since he became postmaster. I wish to call his attention to the fact that since Mr. Murray has become postmaster and after he had had considerable experience he has advocated tubes. He told the Cambridge Board of Trade, through a letter to the mayor of Cambridge, that the only chance of getting improved service to Cambridge—the mail now being carried by automobile—was by the extension of the pneumatic-tube service to Cambridge. He has turned turtle at the request of the Postmaster General on the main proposition, but being confronted with the letter he had written, at the hearing before the Post Office Committee, he put himself in the ridiculous position of saying that he still believes in the extension of the tubes to Cambridge, but believes in abolishing the system itself.

Now, in conclusion, we Members who represent these large cities appeal to the Members of this House who come from the agricultural parts of the country to stand by us. It is the cities that furnish the revenue that enables the Post Office Department to come anywhere near paying its way. The people who live there and who do business there have the right to ask Congress for the best possible service. We of the cities are willing to give you people of the agricultural parts of the country Rural Free Delivery Service although it is done at a loss. We are willing to do that because you are entitled to the best service. We ask you to stand by us and give us the best service, and I trust that our appeal will not be in vain. [Applause.]

Mr. STEENERSON. Mr. Chairman, I yield to the gentleman from Missouri five minutes.

Mr. MEEKER. Mr. Chairman, I think the pros and cons of this question have been discussed before the committee, and before the Committee of the Whole House on the state of the Union, until we understand pretty thoroughly what it means to the men in these cities where pneumatic-tube service is now in operation. I want to say, however, that so far as the cost is concerned of the mail carried in other cities, I speak only for St. Louis where in 1914 our pneumatic-tube service carried over 132,000,000 pieces of first-class mail, at an average cost of 39 pieces for a cent, that our operation cost less than \$34,000, and that the receipts were nearly \$294,000.

Since I have been here, this being my first term, there has been no proposition before Congress that has received such a universal indorsement from all the business men who use these tubes, or use any instrumentality of the Government service coming from the men, as they have for the retention of these tubes.

I am perfectly willing that we should appropriate an additional four or five million dollars for the improvement of the Rural Free Delivery Service. It is coming and we know that it is not a revenue producer, but the men who represent the five cities live in the cities that turn into the National Treasury something like \$20,000,000 annual profit in the post-office business. But here for a mere \$600,000 addition we hear this great hue and cry as to what this is to cost when in reality if you discount the cost of installing the automobile service and the cost of operating the service there would not be \$200,000 difference in operation. They say there has been a great cost in operating the pneumatic-tube service. It is a small item as far as the appropriation is concerned, but a tremendous item so far as the value to the men who use it is concerned.

If \$600,000 additional will satisfy customers who supply \$20,000,000 of profit, I think that a good investment. In our city transportation problems we are compelled to get off of the surface of the street all of the transportation that we possibly can. As was suggested by the gentleman from Illinois [Mr. MADSEN], the idea is to go forward to an underground mail-delivery service in all of the cities, and if that is so, why is it that we are contemplating giving up this limited underground service we already have? The business men from St. Louis are here with petitions for an extension of the service, and I want to say to my good friend from Ohio [Mr. GORDON], who is always asking somebody to yield, but who never yields when he has the floor, that I would rather take the judgment of all of the business organizations of the city of St. Louis who have used this service for 10 years than the judgment of a man who comes from a city where they do not have the service at all. I am talking of men who are customers of this pneumatic-tube service, and certainly all these exchanges and banking organizations and all others can not be so wildly mistaken as to the value of this service in the cities. The complaint is made that it costs too much. If it cost \$17,000 an inch, if the people who use it pay a profit of \$20,000,000 on a \$900,000 investment, that would still be a good investment. It is not the distance of mail carried that counts, but it is the time saved, and that is the whole problem. One side is contending here for economy of time and the other side is talking of economy of money. Sometimes I think if some Members of Congress were put in a position where they could realize that in the great industrial life of this country time is everything and that time is money in reality, instead of time being nothing and salary everything, we would get a different viewpoint in many of these modern governmental questions. The business men of these cities are asking that we give them the very best facility for the saving of time, and, after all, the fever in the entire body may be produced by a congestion in a very small portion of one artery or vein. So it is in our mail service. It is to avoid as far as possible and to prevent the possibility of congestion in transportation of mail that we ask this.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. STEENERSON. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. DARROW].

Mr. DARROW. Mr. Chairman, in the time allotted to me I want to send to the Clerk's desk a copy of a resolution passed by the city council and approved by the mayor of the city of Philadelphia upon this question, and also to say that in connection with some of my colleagues and representatives of various business organizations in the city of Philadelphia we made a careful, conscientious, and practical examination of this service and found that the pneumatic tube advanced the first-class mail materially in its delivery and dispatch, and therefore it benefits not only the citizens of the cities where it is installed but also the people of the entire country who do business with these cities. [Applause.]

The CHAIRMAN. The Clerk will read the resolution. The Clerk read as follows:

CLERK'S OFFICE, COMMON COUNCIL,
Philadelphia, January 10, 1917.

DEAR SIR: This is to certify that the following is a true and correct copy of the original resolution passed by the select and common councils of the city of Philadelphia and approved by his honor the mayor on the 10th day of January, A. D. 1917:

"Resolution protesting against the abolition of the pneumatic-tube service in Philadelphia and directing the presentation of this resolution to the mayor for his approval or disapproval.

"Resolved by the select and common councils of the city of Philadelphia, That having learned with astonishment that the Postmaster

General has recommended the abolition of the pneumatic-tube service in this city, earnestly protest against such action as certain to result in serious loss not only to the business interests of Philadelphia but to all with whom they carry on correspondence. The pneumatic-tube service was first established in this city. It was in consequence of the great benefits realized here that the service was extended to other cities on the initiative of the post office itself. It is the profits of the great cities that render the Postal Service of the country self-supporting. The pneumatic-tube service consumes but a trifling proportion of these profits. The experience of 23 years with these tubes should outweigh any theories concerning them. With the street traffic increasing at the rate of 25 per cent each year, and municipalities everywhere appropriating vast sums to place their traffic underground we can not conceive of any possible justification for reversing this process by taking traffic from underground and placing it on the surface. In view of these facts we ask not only for the continuance of this service but for its extension, as demanded by the business interests of one of the greatest manufacturing centers of the world.

"Resolved, That copies of this resolution be forwarded to Members of the Senate and House of Representatives of the United States, and that the clerks of councils be directed to present this resolution to the mayor for his approval or disapproval."

WILLIAM H. FELTON,
Chief Clerk of Common Council.

Mr. STEENERSON. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. GARLAND].

Mr. GARLAND. Mr. Chairman, I am for the retention of the pneumatic-tube service in the post offices for several reasons. I come from a city that does not have it. I come from Pittsburgh, a much-congested city so far as the mail and every other kind of traffic is concerned. So much congested is it that we found it necessary years ago to provide that traffic shall go only one way on one street and must be turned the other way on another street, and so we get along fairly well, with one exception, and that is this: The United States Government exercises its legal or alleged legal right, I know not which, and refuses to concede the authority of the city of Pittsburgh or the State of Pennsylvania to direct that the traffic go on one street one way, and as a consequence we have the anomaly of the United States Government breaking the laws of our State and city all of the time and refusing to comply therewith and causing congestion and disturbance to the people of Pittsburgh. If we had a tube system of less than three-quarters of a mile we would reach, on a straight-way travel from the post office in Pittsburgh, every railroad station in Pittsburgh, and we could transfer all of the mail through that tube. If we permitted the good sense of the gentleman from Illinois [Mr. MADDEN] to prevail, or if we could permit his idea when he proposes that the United States Government make the tubes large enough to carry all of the mail, the situation would be solved. This is the situation in the city of Pittsburgh, and it is getting worse all of the time.

I noticed in this debate in the beginning that the gentleman from New York [Mr. BENNET] was defeated on a point of order because of his attempt to use the United States own service in connection with the customhouse of 2 miles for the purpose of utilizing it for sending the mails through it. Have we come to a point, as practical business men in this House, that we will on a point of order decide that the United States Government can not use its own tubes or modes for transportation from one department to another? I just desire to call attention to the foolishness of such a situation.

Mr. STEENERSON. Mr. Chairman, I yield five minutes to the gentleman from Delaware [Mr. MILLER].

Mr. MILLER of Delaware. Mr. Chairman, like the district of the gentleman from Pennsylvania [Mr. GARLAND], who has just taken his seat, these tubes are not within the State and district that I represent, but in listening to the debate upon this floor it occurred to me that here was another question in which the country as against the city had been brought into play. We see men from districts, and I do not mean to impugn their motives, who do not live near the large cities, and who therefore can not realize as impressively as other Members do what this tube service means; and for those friends of the farmer who may not have considered how this may affect his interest and business, I thought it best to call attention to that side of the argument in the few minutes that I have.

There are a large number of agricultural and farming communities around the five cities of Boston, Chicago, St. Louis, Philadelphia, and New York. The business men of those cities who buy the products, the grain dealers and other dealers in agricultural products, have to keep in close touch with the men who sell those products in the outlying districts. It is obviously impossible for them to keep in touch with them by mail or telegraph continually, and therefore the tubes have served to place market quotations for farm products before the men who have the products to sell at a sufficient time in the morning for them to get in touch with the broker or business man in the city who sells the product for them.

For instance, in the city of Philadelphia, which adjoins my State, the exchange there closes at 2.15. The mail trains for

the peninsula, formed by the State of Delaware and parts of Maryland and Virginia, and outlying districts in Pennsylvania leave between 3 and 4 o'clock. A man who sends out quotations to the farmers must make them up, have them printed, and get them off by the 3 o'clock train, or a train leaving a few minutes thereafter. This tube service is essential to that city, to my personal knowledge, for this service to be performed, and if it is cut out the difference of even a few minutes will seriously impair the service which the people in the outlying agricultural districts have in order to get market quotations so that they can be received and intelligently considered that evening or the first thing in the morning in order for them to be taken advantage of. It is the same thing with respect to States like Connecticut, Maine, Vermont, New Hampshire, and Rhode Island, which radiate from Boston; and the States of Minnesota, Wisconsin, Iowa, and Indiana, which radiate from Chicago; and so on with the other cities.

There is another point I want to make, and that is the tendency of the times has been to place underground not only part of the mail service, but also the transportation service, the telephone and telegraph wires, and I claim that it is a mistake in business judgment and a great mistake for us to consider here to-day a proposition which, if adopted, will add to the overhead or overground transportation. I know full well what that means, because I have seen these mail trucks bowl through the cities of New York and Philadelphia like cannon balls, and we know their drivers are somewhat in the position of that of our diplomats in Washington and their servants—immune to arrest or prosecution because of the violation of the motor-vehicle laws. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEENERSON. Mr. Chairman, I yield three minutes to the gentleman from Massachusetts [Mr. OLNEY].

Mr. OLNEY. Mr. Chairman, while I am sorry to disagree with the opinion and the judgment of the able chairman of the Committee on the Post Office and Post Roads, it seems to me that if the usual full provisions are not made in this bill for the continuance of the pneumatic-tube service the efficiency of the Post Office Department will be considerably impaired. I, too, come from a so-called agriculture district. To be sure, ward 24 of Boston is in my district, but if my memory serves me correctly, the pneumatic-tube extension does not go into this part of Boston, so therefore I have no material interest in the continuance of this service, but there is one other thought I would like to inject into this debate which I have not heard mentioned during the time allotted, and that is the matter of conscience. It seems to me that as Congressmen and citizens we should consider our Government as the conscience of the Nation. For 10 or 15 years or more this service has been continued, and the Government has encouraged the existence of the pneumatic-tube companies in the various cities in which they exist. It is not a local proposition, is of national scope, and why should we vote it out and confiscate something which we have encouraged to exist. It is not a local question when we consider that five or six of the largest and most important cities of the Union use this system in a fairly efficient manner. Undoubtedly the report of the Post Office Department is true in that the tubes do occasionally clog; but from the evidence brought out here to-day it is said that 40 more automobiles would be required in the congested streets of Boston if the pneumatic-tube service were to be abolished, and all who have visited Boston realize that those streets are the old cow paths established long before Revolutionary times, now paved, to be sure, but narrow, crooked, and poorly adapted for surface traffic. I favor the adoption of this amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. OLNEY. Mr. Chairman, I would ask to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. STEENERSON. Mr. Chairman, I have used up as much time as the gentleman from Tennessee said I could use—

Mr. MOON. Mr. Chairman, I yield five minutes to the gentleman from Mississippi [Mr. QUIN], and at the expiration of that time I shall ask the Chair to give five minutes to the gentleman from Illinois [Mr. GALLAGHER].

Mr. QUIN. Mr. Chairman, I have noticed through this debate no Member yet has attacked the Post Office Department's report and the report of this Committee on the Post Office and Post Roads showing it is to the best interest of the American people and the Post Office Department if this tube service be cut out. I stand for the economy recommended by the department in discontinuing this tube service. I stand by the committee. I shall oppose the amendment pending to put that tube service in force

again. The gentleman from Massachusetts [Mr. GALLIVAN] thought he was arguing when he called the Postmaster General a boss and tyrant simply because he is endeavoring to protect the taxpayers from the robbery of a powerful trust; and the gentleman further attempted to make fun of ex-Congressman Murray, who is now postmaster in Boston. It strikes me that if ex-Congressman Murray, the postmaster in the city of Boston, has discovered that he was in error as a Congressman in maintaining that the tube service was for the benefit of the people, and that now since he has gone through one year's service as postmaster he has realized that it is a useless expense and could be better handled by automobile trucks, he is to be commended. Instead of criticizing the Postmaster General we should applaud him in his efforts to establish efficiency and economy in his department. We should do more than that; this Congress should help him. In the testimony of the postmaster (Mr. Campbell) at the city of Chicago before the Post Office Committee he stated that already 206 automobile trucks, owned and operated by the Government, were in this service in the city of Chicago and only 20 more would need be put into operation to carry all the mail better than it now is under this tube service, and that the annual saving would be \$140,000 at the lowest figure. There is a man who has been postmaster of that great city for more than 10 years and he knows what he is talking about, and you can take the city of Chicago as a typical American city. The people travel on the streets of Chicago as fast as they do in any other place in the United States; in fact, they go so rapidly that one from my section would think there must be a fire somewhere and all the people were rushing to it. If the postmaster of that densely populated city, where every person is in a hurry both on foot and in vehicles, testifies that the tube system is a failure and that automobiles could transmit the mails more expeditiously and save yearly at least \$140,000 to the American taxpayers for inadequate services rendered by the tube company, certainly it would be practical for Boston or St. Louis or any other of these large cities in the country.

Mr. HULBERT. Mr. Chairman, will the gentleman yield for a brief question?

Mr. QUIN. I can not; I have only five minutes and I can not yield. Further than that, we save, besides the fact of getting better service, a difference between what was appropriated for the fiscal year 1917, \$976,000, and now for 1918, an actual saving there of \$526,500. Is there any man who can go back on the Post Office Department and the expert evidence submitted by the Postmaster General, who can go back on this great committee, and say that he would overturn their decision to better the mail facilities in these five cities and at the same time save the Government more than half a million dollars every year on this one item, overturn all of this evidence, while we are facing a deficit of more than \$300,000,000? What would your constituents think if they could know the real facts that confront us on this amendment? While you are pandering to this great army of postal employees, proposing to give them increases and advances, you propose to reject the proposition to save more than half a million dollars in five cities of this Republic—an annual saving, and giving a better service, according to the word of the experts who testified, than you are receiving now by this pneumatic-tube service that some say will not carry the mail any better than an ordinary wheelbarrow service would. This Pneumatic Tube Trust is gouging the public, and the Post Office Department knows it and simply asks us to put a stop to it. Will you aid the Postmaster General in his effort to keep the people from being robbed? [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GALLAGHER. Mr. Chairman, this question of the pneumatic-tube service seems to be a very live question here to-day with certain Members, and it is surprising, to say the least, to notice the great interest that Members from other great cities in this country show toward the great cities using this tube service that they do not happen to represent, and they appear to be quite anxious to supply all of them with this pneumatic-tube service, when the Post Office Committee reports against it. Now, ordinarily we take the advice of the head of a department of this Government as to what is good or bad for his department. Generally speaking, we are advised by the head of a department as to what we ought to do regarding a certain matter affecting his department. But upon this question the Postmaster General does not appear to know what he is talking about, so it seems from the talk we hear upon this floor and what we read in the papers; nor does anybody who seems to oppose a continuation of this contract care to know what his opinions are about this service.

Now, I happened to get a clipping this morning from a paper published in New York, called the New York Commercial, of January 12, 1917, and it says here among other things:

Congressman GALLAGHER, of Chicago, leans upon the bosom of the postmaster, Campbell, who in turn seems to lean absolutely upon the bosom of Mr. Burleson.

Now, that is a very peculiar statement to make. I do not think that so far as I am concerned I am leaning on the bosom of anybody, nor do I believe Postmaster Campbell is anywhere near the bosom of the Postmaster General. I do not know of a man in the Postal Service in the United States who has a better reputation as a postmaster than the postmaster at Chicago. Mr. Campbell has served in that capacity possibly longer than any other postmaster who ever held that office in Chicago. He served under Roosevelt, he served under Taft, and he has served under the Wilson administration up to the present time, and it does not seem possible up to date that they can get along without him. Anybody who knows Mr. Campbell will not question his good judgment so far as the postal facilities or his interest in the postal services of Chicago are concerned. He is a painstaking official who knows his business. I think he knows about as much concerning this tube service for Chicago as anybody here. Now, Mr. Campbell said that this service, so far as Chicago is concerned, is of no particular value, and his first assistant superintendent also told me the same thing, and he is a man whose business it is to know regarding the mail service of Chicago. He said that the Post Office Committee of the House acted wisely in determining not to make an appropriation for the further use of these tubes. Now, I should judge that that was pretty good advice for a representative of the people to act upon. I do not think it is fair to set aside the advice of the postmaster of Chicago, the advice of the Postmaster General, and the action of the Committee on the Post Office and Post Roads here in the House without serious consideration.

Mr. TAGUE. Will the gentleman yield?

Mr. GALLAGHER. Certainly.

Mr. TAGUE. Is the gentleman aware that in the Post Office Committee out of the 21 members there are 9 members of the majority who are not opposed to pneumatic tubes?

Mr. GALLAGHER. I do not know anything about how many members are opposed to them. I know the committee has made a report that the appropriation ought not to be made.

Mr. TAGUE. You know that five members have signed the dissenting report?

Mr. GALLAGHER. I know this much, that this House is advised by the head of a department of this Government. Take the case of the postmaster at Boston. He says the tubes are no good, and it is stated here that he has changed his mind since he became postmaster. There is nothing criminal about that. He knows and has learned something about the tubes and knows what he is talking about when making a statement, and I believe if we were to hear from Mr. Murray he could give a good account of himself and why he has reached the decision that these tubes are no good for Boston. Now, I have not positively made up my mind in regard to voting on this question. I thought by listening to the debate here that something would be developed that would convince me as to what I ought to do in regard to these tubes, as the people of Chicago are vitally interested in this question.

I have received a great many letters from associations and business men in Chicago asking me to vote to retain the tubes, and I would like very much to do as they request. I doubt whether they have given this matter thorough consideration, and I know they are not in a position to judge of the merits of the tube service the same as the postmaster and his assistants, who come in contact with it every day and therefore are able to judge concerning the efficiency of this service. Everybody in Congress knows how easy it is to work up a sentiment in favor of or in opposition to a proposition pending in the House, and quite often it is as easy to get men to write letters for and against a matter as it is to get up a petition for or against matters of concern that we are called upon to decide.

I dislike to vote to spend the money of the people upon a service in our Postal Department when the men at the head of that department, charged with responsibility of maintaining the best of service for the people, tell us that this service ought to be discontinued.

I am undecided up to the present time how I will vote on the question.

Mr. MOON. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. BLACKMON].

Mr. BLACKMON. Mr. Chairman, I had not intended to say anything further in reference to pneumatic tubes, but it seems to

me that an attempt is being made by some of those favoring the continuation and extension of the pneumatic-tube system to claim all the credit for the development of this country for the great cities that now have and enjoy the luxury of the pneumatic-tube service.

This is undoubtedly improper, and sheds no light on this question, neither is it calculated to aid a Member in determining what is the correct and proper thing for him to do.

These gentlemen say that the great cities where the tubes are being operated are furnishing the revenues of the Government. I am not from a city quite as large as Boston, New York, Philadelphia, St. Louis, or Chicago, but the fact that I am not does not prejudice me against the cities named, neither does it convince me that the Government is justified, or even excused, for this reckless waste of the country's money, even though it should be conceded that all of our revenues are derived from the cities named, as these gentlemen seem to think, but which is not by any means true.

These cities are just as much dependent upon other parts of the United States as the United States is dependent upon them. Were it not, Mr. Chairman, for the agricultural, mining, and manufacturing interests of this country, the cities now enjoying the use of the 8-inch pneumatic tube, at a cost of \$17,000 per mile per annum, would not be concerned about the rapid transit of mail.

For myself I am tired of this continued effort when questions of this kind arise for certain gentlemen to ridicule every proposition that is not proposed by them.

There has been an attempt made to ridicule a certain member of the Post Office Committee, because he was not familiar with The Bronx, in New York. I am not the member of the committee whom the gentleman ridiculed for his lack of information on this subject, and am unable to see its relevancy to the great question which we are now undertaking to determine.

It is true that a great many gentlemen on the floor have been much amused, apparently, at the ridicule of this Member, whoever he may be. I take it that every member of the Post Office Committee of the House, and indeed every Member of this body, is interested in doing the right thing, without regard to whether this member of the committee is or is not familiar with The Bronx.

One of the members of the Post Office and Post Roads Committee of the House is a Member of Congress from Boston. He is very much interested in seeing the pneumatic tubes continued. He was active before the committee, and is still active in the fight that is now going on, but I have not a shadow of a doubt but what he is acting conscientiously and from the best and sincerest motives. I am not willing to undertake to ridicule him, because he is not familiar with "Weogufka," or "Arbacoochee," Ala.

Again, I think that the criticism of Postmaster Murray, of Boston, who was once a Member of this House, is unjust, unwarranted, and uncalled for, and sheds not the slightest light upon the subject we are being called upon to determine.

Postmaster Murray, as a Member of Congress, perhaps was in favor of the pneumatic-tube service as a citizen of Boston. Members of this body now representing the city of Boston are acting honestly in defending the continuance of this service, but the difference is, they have not held the position of postmaster at Boston, and have not had the experience with the pneumatic-tube service as has Mr. Murray. If they had, and should be called upon to testify as to whether or not the continuation of this service was justifiable, they, like Mr. Murray, honorable gentlemen that they are, might say just as Mr. Murray has said, that it is not justified and ought not to be continued.

I say it is to Mr. Murray's credit that, while acting for the Federal Government as postmaster he discovered that the use of the tubes was not justified and that we were spending money unnecessarily for a service that was unwarranted, he had the manhood and the courage, even though living in the city of Boston, to tell the committee and the public the truth as he saw it—the whole truth, and nothing but the truth. I say the truth, the whole truth, and nothing but the truth, because all the testimony taken by every Government commission and the facts demonstrated by every test that has been made bears out Mr. Murray's statement.

Not only does Mr. Murray, the postmaster, if you please, of the city of Boston, say this, but Mr. Campbell, the postmaster at Chicago, where the tube is operated, and who, I am told, is one of the best postmasters in the country—this information I get alike from both Republicans and Democrats—says that the use of the tube is not justified or warranted in the city of Chicago.

Does it not come with poor grace for Members of Congress, who have the exclusive privileges of the floor, to criticize Mr.

Murray in the way he has been criticized here, simply because he dared tell the truth as he saw it?

A good deal has been said here about Members of Congress getting into disrepute. It is said that Mr. Lawson has no respect for Members of Congress. As far as I am concerned, I do not care one snap of my finger what Mr. Lawson or anyone else may say about Congress, collectively or individually.

I contend that the people who have selected the membership of this body as a rule have shown that they were capable of exercising their right and have selected honest men, Mr. Lawson to the contrary notwithstanding.

I fear that we are too prone to become frightened at the statements of the assassins of character throughout the country.

Mr. Lawson will find it hard to make the people believe that President Wilson, his Cabinet officers, Congress, and others connected with the Government are dishonest or for a moment would do that which they should not do in order that they might obtain financial preferment.

If Mr. Wilson is to be deterred in his noble effort to secure peace and end the great slaughter of human lives that is now going on simply because the Wall Street speculators may fleece one another when information of his great and noble efforts are obtained, whether it be in advance of its publication or when it is made public by him, as it necessarily must be, then I say let the fleecing proceed.

I am for honorable peace, and if Mr. Wilson can bring it about in an honorable way—and he will undertake it in no other way—I say, "All hail to President Wilson."

I will not say what I think of Mr. Lawson and his fellow speculators in Wall Street, if they are responsible for the destruction of legitimate property under the guise that advance information had been obtained that President Wilson was seeking to secure peace, and in the event of success values would naturally fall.

If the speculators of this country have such a hold on the legitimate business life of the country that they can produce panics and destroy legitimate values simply because the President of the United States is undertaking to bring about peace, the fault is with Mr. Lawson and his crowd and not with the Executive or with Congress.

If Members of Congress are getting into disrepute in the eyes of the fair-minded people of this country it is because they have not opinions of their own and are undertaking to get on what appears to be the popular side of every question without regard to consequences. No honest man or newspaper is willing to criticize one for doing what he honestly believes is right. Too often, I fear, we allow our opinions to be formed from what seems from the press and other sources to be the popular side of a given question. Would it not be better to devote the time we spend in doing this to a real study of the facts in each given case, and when we have reached the conclusion honestly that we are right, then defend it regardless of what our critics may say?

Getting back to the point under consideration, if you believe the business interests of this country are going to be destroyed by a discontinuance of the pneumatic-tube service, and you have reached this conclusion from a study of the facts and the testimony submitted to you, then by all means vote for the pending amendment. But, on the contrary, if the facts submitted show you that the service is not warranted, then vote to sustain the action of the committee, which carries out the recommendation of the Post Office Department, a department that I say has demonstrated it is actuated only by what is for the good of the service.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BLACKMON. Mr. Chairman, I desire to revise and extend my remarks.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to revise and extend his remarks in the Record. Is there objection?

There was no objection.

Mr. GALLAGHER. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. STEENERSON. Mr. Chairman, I yield to the gentleman from New York [Mr. CHANDLER] one minute.

The CHAIRMAN. The gentleman from New York is recognized for one minute.

[Mr. CHANDLER of New York addressed the committee. See Appendix.]

Mr. STEENERSON. Mr. Chairman, I yield to the gentleman from New York [Mr. ROWE] five minutes.

The CHAIRMAN. The gentleman from New York [Mr. ROWE] is recognized for five minutes.

Mr. ROWE. Mr. Chairman, Brooklyn has a population, according to the last census, of 1,800,000 inhabitants. No other city of that size in the Union has so small and insignificant a use of the pneumatic tubes. All told, even counting in the service in Manhattan, it has 3 miles, but almost 1 mile of that is in the old city of New York.

Now it is proposed to take away more than a mile of that service which we have in Brooklyn. Brooklyn has not looked out for its interests in the past, or it would have to-day what two or three other cities have—more than 30 miles of tube service. We are at the present time in great need in Brooklyn of a proper service. We have not the proper delivery service either, because the delivery service is arranged on the basis of the receipts from the sale of stamps, and many of our large manufacturers have offices in New York, with factories in Brooklyn, and they buy their postage at the New York post office instead of at the Brooklyn post office.

Now, gentlemen, I have felt all through this discussion that the people of our large cities have supported the country districts in rural free delivery, the loss on which is more than \$40,000,000 a year, while the amount to be saved by giving up the mail tubes is less than \$500,000.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. ROWE. No; I have not the time.

We ask you of the country districts who are benefited by rural free delivery and parcel post to stand by the cities and see that they get this proper transportation of the mails, and as rapidly as possible. It affects you as much or more than it does the people of the cities. It is the delivery of our business mail, the mail that should be delivered rapidly. It is the mail that comes from the country districts into our railway stations in New York and Chicago and Philadelphia and Boston and St. Louis that should reach at the greatest possible speed the persons to whom it has been sent. You want it delivered quickly. We of the cities to whom it is sent want your mail as soon as it can reach us, and we want also to be able to answer it for you as soon as possible. [Applause.]

Mr. STEENERSON. Mr. Chairman, how much time did the gentleman consume?

The CHAIRMAN. The gentleman from New York has used four and one-half minutes. He has one-half a minute remaining.

Mr. STEENERSON. He yields back that one-half minute. Now I yield two and one-half minutes to the gentleman from New York [Mr. BENNET].

The CHAIRMAN. The gentleman from New York [Mr. BENNET] is recognized for two and one-half minutes.

Mr. BENNET. Mr. Chairman, if this amendment is adopted it will continue the existing service and give a slight necessary extension in the city of New York.

Personally I have always believed that the mail service was one service, and therefore I have voted for the free rural delivery and for the village delivery and for everything that the country and the city wanted. I do not see how you can differentiate between localities. I think all parts of the country are entitled to the best service they can get. We need this service in New York, and, without costing more money for additional automobiles than the tube costs, we could not get by automobile the same service that is given by the tubes.

We have a postmaster in the city of New York—Mr. Morgan—who has been in the Postal Service for 45 years. He rose from the position of mail carrier to that of postmaster. Here is what he says:

Mr. MORGAN. If you are going to do away with the tube service in New York City and use the automobiles now in use to carry this first-class mail matter, you might as well go back to the old horse and wagon.

That is the whole question. I yield back the balance of my time.

Mr. STEENERSON. How much time did the gentleman use?

The CHAIRMAN. The gentleman consumed one minute and a half and yields back one minute.

Mr. STEENERSON. I yield five minutes to the gentleman from Missouri [Mr. IGOE].

Mr. IGOE. Mr. Chairman, the statement has been made that the stockholders in this enterprise have something coming from the Government. I do not believe they have any legal or moral claim upon the Government to an extension of this service. My interest in this matter is at the unanimous request of the business men of St. Louis, who want this service. I looked into the matter when these petitions came to me, and at the earliest date practicable secured the report of this commission, and I find that this commission based its recommendation for the discontinuance of the service in St. Louis upon two propositions.

The first one was that there was no surface congestion in St. Louis. Now, anybody who has ever been there knows that that is not true, knows that there is congestion in St. Louis, and the very report upon which the commission bases its recommendation shows that in one of the tests made the automobile that made the test for the Post Office Department, according to the note attached, was delayed because of congestion in the downtown district.

The second proposition is that the service can be rendered as efficiently and at less expense than by the tube service if they are permitted to substitute automobiles. I only know what is in this report of the commission, and if they based their recommendation upon the evidence in this report, I can not see how they arrive at that conclusion. The only evidence in that report is of a test made and a letter from the postmaster of the city of St. Louis. Now, the postmaster of the city of St. Louis has been in office from September, 1913, and on the 7th of December, 1915, he wrote a letter to this commission. I want to read a part of it and to ask you whether on that statement the commission could recommend the discontinuance of that service. He said:

As stated in the communication above referred to, 75 per cent of the mails now transported by pneumatic tubes in St. Louis could probably be satisfactorily handled by surface transportation, with no delay in dispatch or delivery, but treatment of the balance, which includes important eastern mails for delivery in the down-town or business section, as well as dispatches of similar matter, made on close connections after deposit in territory contiguous to the tubes, would be seriously impaired.

Then he further says:

The conditions described are attributable to arrival time of eastern trains, which in the morning are too late for delivery before afternoon if subjected to any delay whatever.

And further he says:

Service conditions in St. Louis differ from those of any other city in the country, in that the main post office is located at Eighteenth and Walnut Streets, while the business of the financial section is conducted in the Federal building, at Eighth and Olive Streets, nearly a mile away. The tube is a great convenience to us on this account, as it permits of continuous and speedy connection between the executive division and the financial section, impossible of substitution by transportation of any other character.

That is the letter of the postmaster of the city of St. Louis. That is the only evidence I have. I did not make any tests. Tests have been made; but I will say that the mayor of the city of St. Louis, the Merchants' Exchange of the city of St. Louis, the Business Men's League of the city of St. Louis, and all of the civic organizations of that city have asked that this tube service be retained.

I know that it has been stated by the Postmaster General in his report that various people might be instigated to come and plead for this thing before Congress. I want to submit that there is no special interest that could get all of these business associations and all of these men to come to Congress for any ulterior purpose. These business men want this service. The postmaster of that city recommended it, and, although I understand he has since given out an interview in which, to be frank with the House, he says that the automobiles can render the service, I want to say that in that interview he also stated that since that letter was written the Government automobile service was instituted in St. Louis. That service was instituted before this letter was written, and in the report that he made to the commission he referred to automobile trucks and automobile transportation as a substitute for this pneumatic-tube service.

The CHAIRMAN. The time of the gentleman has expired.

Mr. IGOE. Mr. Chairman, I ask leave to insert as a part of my remarks an editorial from the St. Louis Post-Dispatch on this question.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The editorial referred to is as follows:

CUTTING DOWN MAIL SERVICE.

In the report of the committee of the Federal Post Office Department on pneumatic-tube mail service we find several remarkable statements with regard to the mail service in St. Louis. The report quotes Postmaster Selph as expressing his willingness to abandon the service if the department thinks it best and "to develop other means of transportation to meet all demands."

The committee then, without further quotation from the St. Louis postmaster's letters, which are included in the report, expresses the flat opinion "that no material advantage results from the use of the pneumatic-tube service in St. Louis." It makes the additional extraordinary statement that "there is little or no surface congestion in St. Louis and an automobile or other conveyance is able to travel rapidly." It puts the difference of time between an automobile and the tube from the general post office to the Central Station at about seven minutes and from the Central Station to the Bridge Station at three and five-sixths minutes. No allowance is made for uncertainty of the automobile time on account of congestion, weather, or disability, none of which affect the tube service.

In the report is a letter from Postmaster Selph directly contradicting the conclusion of the committee. If his opinion is worth anything as to the value of the pneumatic-tube service, it completely nullifies the committee's opinion and reverses its conclusion. Mr. Selph wrote:

"As stated in communication above referred to, 75 per cent of the mails now transported by pneumatic tubes in St. Louis could probably be handled satisfactorily by surface transportation, with no delay in dispatch or delivery, but treatment of the balance, which includes important eastern mails for delivery in the downtown or business section, as well as dispatches of similar matter, made on close connection after deposit in territory contiguous to the tubes, would be seriously impaired, for we are now working under a particularly close schedule, attributable in a large measure to the 8 in 10 hour law, and if obliged to consume extra time, consequential to necessary sacking and trucking to the mailing platform for surface transportation, schedules as regards the downtown section would of necessity, in a number of instances, be subjected to changes bordering on nullification, and mails to the extent referred to delayed several hours in delivery.

"The conditions referred to are attributable to arrival time of eastern trains, which in the morning are too late for delivery before afternoon if subjected to any delay whatever, and those in the afternoon will have to be held until the following morning on account of our inability to delay carriers' leaving time and maintain the 8 in 10 hour law.

"Service conditions in St. Louis differ from those of any other city in the country, in that the main post office is located at Eighteenth and Walnut Streets, while the business of the financial sections is conducted in the Federal Building at Eighth and Olive Streets, nearly a mile away. The tube is a great convenience to us on this account, as it permits of continuous and speedy connection between the executive division and the financial section, impossible of substitution by transportation of any other character.

"Reasons herein mentioned, together with probability of congestion attributable to climatic conditions upon occasions inevitable in connection with surface transportations, present the principal argument favoring continuance of the tube service at St. Louis, if its continuance is possible at a cost commensurate with advantages to be derived therefrom."

Is the impairment of service on 25 per cent of tube mails, including "important eastern mails for delivery in the downtown or business section as well as dispatches of similar matter made on close connection in territory contiguous to the tubes" of little importance to St. Louis business? This 25 per cent is the most important. It is impossible to measure its value to business men. It may and probably does involve enormous business transactions.

If the testimony of other postmasters and mail conditions in cities threatened with a discontinuance of tube service are ignored or misrepresented as in the case of St. Louis, the report of the department committee is not worth the ink and paper it consumed.

We judge that this is so by the general protest of the business men of the threatened cities. The mouths of postmasters have been closed, but the business men are vociferous in opposition to the abolition of the tube service.

Postmaster General Burleson seems to have made up his mind in advance that he will economize at the expense of the large cities regardless of consequences to quick mail service. He wants to save on the cities to serve the rural districts, and is willing to go backward to accomplish his purpose. But Congress ought not to ignore the needs of the great business centers which serve the people of the rural districts.

Mr. STEENERSON. I yield two minutes to the gentleman from New York [Mr. PLATT].

Mr. PLATT. Mr. Chairman, I have not very much to add to this debate with regard to pneumatic-tube service except one thing. My home is not in New York City, nor in any of the other big cities that are directly interested in this matter, but I am interested, and my constituents are interested, in getting mail through New York City, and in the prompt delivery of mail in the city. I know it is a matter of interest to the country at large, to the agricultural sections as well as others, that mail should get through the big cities promptly. They are clearing houses. We have had more complaint about mail getting clogged up in New York City than in any other source of delay. When we have put a tracer on something that got lost or that did not come through promptly, we have usually found that it got delayed in New York City, and I believe every facility for getting mail transported from place to place, in New York and other large cities, ought to be used, not only in the interest of the business men of those cities themselves, but in the interest of the people at large. Not only do the people in those large cities want their mail promptly, but the people of the whole country want the mail to go as quickly as possible through those cities, so that it may reach the points to which it is directed.

I yield back the remainder of my time.

The CHAIRMAN. The gentleman used one minute, and yields back one minute.

Mr. STEENERSON. I yield to the gentleman from Pennsylvania [Mr. MOORE] eight minutes.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] is recognized for eight minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, the great question involved here is not as between the city and the country, because our interests are identical in this pneumatic-tube matter. The question is one of principle, whether having encouraged men to engage in business, to establish an enterprise, we should then confiscate their property. It makes no difference whether we are paying \$17,000 per mile per annum or not. These people have made an investment with the encouragement of the Government of the United States, and have kept that property in order to serve the Government for 23 years. They

have been given no option to adjust rates, even if the rentals could be shown to be too high. Ruthlessly, and without an opportunity for them to revise rentals or in any way utilize their property, we are asked to close down upon them and take away that which they have invested in good faith for the benefit and service of the people in the country, as well as the people in the city. I am not making an appeal to the men in the country, because it is a city proposition; it is as much a country proposition as it is a city proposition. If the pneumatic tubes are dispensed with and the mails are delayed, the interests affected will not be wholly within the city, but upon the farm as well.

Great stress has been laid on the fact that a commission appointed by the present Postmaster General has reported against these tubes. That the present Postmaster General, having his mind made up on this subject, should obtain a favorable report from a commission made up of his own employees is not surprising. I do not think any commission appointed by him under these circumstances would dare to bring in any other kind of a report than that which the Postmaster General desired to have brought in, but it should not be forgotten that all previous reports were favorable to the service, and there were three of them.

The gentleman from Tennessee, in discussing his point of order a little while ago, made reference to the fact that this green book—the Burleson commission report—the report of the commission appointed by the Postmaster General, was in compliance with the law, and that the recommendation made by the commission was made because the law warranted the making of this report. There is a difference of opinion among the lawyers of the House as to that, but I now ask the gentleman from Tennessee, who stands with the Postmaster General upon this question, whether he still relies upon the accuracy of this report as being sufficient in law or in fact to warrant the destruction of private property in the manner in which the Postmaster General now proposes to do it. If he does, I cite the evidence of the representative trade bodies and business men of my city, who have made tests themselves, controverting not only the statements of fact, but the findings of this commission appointed by the Postmaster General from his own subordinates. I challenge the gentleman from Tennessee—

Mr. MOON. What does the gentleman challenge me about?

Mr. MOORE of Pennsylvania. Oh, not to fight. [Laughter.]

Mr. MOON. I thought the gentleman would not do it to fight, but what is he talking about?

Mr. MOORE of Pennsylvania. I would not challenge the gentleman to fight, except legislatively. I love him too well. I challenge the gentleman from Tennessee to repeat that he stands on the law as it is presented in this report recommending the destruction of the tube service.

Mr. MOON. I stand upon the law as presented in the statutes?

Mr. MOORE of Pennsylvania. The gentleman held the green book in his hand and said it was in accordance with the law.

Mr. MOON. I read from the statutes this morning, the whole statutes together, and that is an extract from the statutes, and is correct so far as it goes.

Mr. MOORE of Pennsylvania. I ask if the Postmaster General had legal warrant for appointing the commission and accepting the report and finding of the commission as sufficient in law to destroy the pneumatic tubes. I have challenged the gentleman to stand on the law referred to in this report.

Mr. MOON. The gentleman need not challenge me to stand on the law, I stand on the law always.

Mr. MOORE of Pennsylvania. I am challenging the gentleman in a legislative way.

Mr. MOON. I am standing on the law in a legislative way and every other way.

Mr. MOORE of Pennsylvania. Well, then I challenge the gentleman to advise the House as to what law this commission acted upon. It seems to have based its authority upon the "act approved June 30, 1903." I ask the gentleman who stands with the Postmaster General on this green-backed report, received by Members after the hearings were all over, to read the authority upon which the lawyers of the Postal Department base their case. It says:

Report of the committee of the Post Office Department, appointed by the Postmaster General, preliminary to the consideration of the issuance of an advertisement for carrying the mails by pneumatic tubes for the contract term commencing July 1, 1916, in pursuance of "the act approved June 30, 1903."

That sounds all right but, like the contents of the report, it is hasty and inaccurate.

Congress was not in session June 30, 1903. There is no act of June 30, 1903, and if the gentleman from Tennessee stands

on the law as presented by his own commission, he is standing on no law at all, for it does not exist. [Laughter.]

Mr. MOON. The gentleman from Pennsylvania has been told two or three times—I don't know whether he understands it or not—that the gentleman from Tennessee stands on all the statutes on the pneumatic-tube subject.

Mr. MOORE of Pennsylvania. Does he stand on "the act of June 30, 1903," on which the commission acted?

Mr. MOON. I do not know whether it is the proper date or not, and I do not care.

Mr. MOORE of Pennsylvania. We have challenged the accuracy of the report of the commission which the gentleman presents to the House and which destroys millions of dollars' worth of property. Now, we challenge the authority under which it acted. I am not a lawyer, but the gentleman from Tennessee is an able lawyer. Will the gentleman stand on "the act of June 30, 1903"?

Mr. MOON. The gentleman from Pennsylvania ought to know that if there was an error in the date as to the act incorporated in the report that it would not affect the law, and it is nonsense to ask a man if he stands on a proposition where a date may be changed by the printer or some one else.

Mr. MOORE of Pennsylvania. The gentleman from Tennessee is too good a lawyer to stand on a law that does not exist, and he does not stand upon it. But this shows how carelessly the report was made up. We did not get this report until the hearings had been had, and our business men were not given a fair chance to combat it.

Mr. MOON. Does the gentleman think he knows anything about it now? I do not think he does.

Mr. MOORE of Pennsylvania. I am satisfied that "the act of June 30, 1903," under which this select commission said it was acting, does not exist. There is no such act, therefore the status of the commission is somewhat impaired. I do not know whether the gentleman from Tennessee is going to stop because I have driven him into a corner. [Laughter.]

Mr. MOON. Which corner am I in?

Mr. MOORE of Pennsylvania. Why, the gentleman is in the corner of "the outs" just now.

Mr. MOON. We will see about that later on.

Mr. MOORE of Pennsylvania. I hope the gentleman may find the law somewhere.

Mr. MOON. I can tell the gentleman now that if he does not know the law he and his city will find it to be the law that unless this Congress passes some other act you will never have another pneumatic tube.

Mr. MOORE of Pennsylvania. But this commission, whose report was received after the hearings were over, evidently does not know the law.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, in my talk on Thursday I tried to present the attitude of Philadelphia business men on this tube question. We are challenged by the tube destroyers to bring in our evidence, but the time limit is on and we can not get the evidence in.

Let me say, however, that the tubes were introduced before the parcel post encumbered the mails with farm products and household furniture. They were never intended to carry anything but first-class mail, and that they do in a manner satisfactory to those who are competent to speak. In the extension of my remarks on Thursday I produced statements showing the great value of this first-class mail-tube service to the farmers who do business with Philadelphia merchants and to the banks in all parts of the United States doing business which is cleared at Philadelphia. I also produced evidence of the congestion upon our highways. All those matters are material in a great city. They ought to have weight with the House, and I hope they will.

Mr. STEENERSON. Mr. Chairman, I yield two minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman, this proposition is one simply that Congress shall authorize the Postmaster General to continue this service if, in his judgment, he finds that the report which he has presented to this House is erroneous and that the service ought to be continued. In other words, if we fail to appropriate the money provided for in this amendment, then, of course, the service will be discontinued, because there will be no funds for it; but if we appropriate the money as provided for in the amendment of the gentleman from Massachusetts [Mr. TAGUE], then the Postmaster General can continue the pneumatic-tube service if he finds later that it ought to be done; and if he has discontinued the pneumatic-tube service and resorted to automobiles for all the service now carried on by pneumatic tubes, he may not only, as he will, find that he is

mistaken, but he may also find that the complaints of the people in the cities, and of the country, too, are so great over the discontinuance of this excellent service of the pneumatic tubes that it is his duty as a public official and in charge of a great department of the Government to again contract for and put into use the pneumatic-tube service. But if you gentlemen should refuse to give to him this appropriation, he can not do it even if he finds the country and the business interests of the country are suffering by reason of it. So I appeal to you upon that phase to vote for this appropriation. No harm can come from it if the service is not wanted. Even if the service can be performed by the automobiles, no harm can come through voting this appropriation under the circumstances; but all of the evidence that has been presented, so far as I am acquainted with the situation in my own city, is that the service is absolutely necessary for the proper transaction of the business between the city and the country at large.

Mr. STEENERSON. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, Chicago is one of the cities in which the pneumatic-tube service is now used, and the people of Chicago seem to be unanimous in favor of the continuation of that service. The postmaster of Chicago says that we can get along without it and save money. The people do not agree with the postmaster, and, as I speak for the people, I am in favor of continuing the tube service. So I favor the appropriation proposed in the amendment offered by the gentleman from Massachusetts [Mr. TAGUE]. In favoring this amendment, I want to call the attention of the House to the fact that I believe more money is paid per mile per annum for the use of the pneumatic tubes than ought to be charged, and I believe the Postmaster General ought to have the power, the discretion, to negotiate for better rates. While the people of Chicago are unanimous in their demand for a continuation of this service, there is no man in Chicago who would say to me that we ought to pay an exorbitant price for the service. Everyone in Chicago knows that if he did say it I would not yield to his demand, if I believed the price paid to be unjust. We are paying \$17,000 a mile for the pneumatic-tube service. I believe the service is worth about \$10,000 per mile per annum, and I believe the Postmaster General can get the service for \$10,000 per mile per annum if he is permitted to use the discretion which he ought to have the right to use in the perfection of an ordinary business transaction. If we grant the appropriation which I favor, I hope the Postmaster General will exercise his discretion to get the kind of rate per mile for the use of the tube service if it is used that any other business man would exact if the transaction were between two business men instead of between the Government of the United States and an outsider. The evidence before the Committee on the Post Office and Post Roads in the hearings upon the pneumatic-tube service disclosed the fact that the average gross earnings per annum are about 26 per cent, and the representatives of the tube companies said that they paid about \$8,500 a year for expenses per mile. That is exactly one-half of what they receive. If they pay \$8,500 per annum per mile for expenses, and they are paid \$17,000 per annum per mile for the service, and \$17,000 per annum per mile represents 26 per cent gross, what is left after the expenditure of \$8,500 per annum per mile would be 13 per cent net.

They said in response to inquiry that they only made 1½ per cent on their investment, and they did not reply to the question which I asked as to what became of the difference between the 1½ per cent and the 13 per cent that I maintain they make. I believe the Government ought to get this service upon the basis of 6 per cent net, and if it does it will get the service for not more than \$10,000 per mile per annum. Therefore I favor the extension of the tube service, but I am in favor of the retention and continuance along decent business lines and with due regard for the economic expenditure of public money. I want to add just one word more, and that is that if the appropriation is made the Postmaster General will have the discretion to negotiate for the kind of rate that ought to obtain.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. STEENERSON. Mr. Chairman, I yield two minutes to the gentleman from Massachusetts [Mr. TAGUE].

Mr. MOON. Mr. Chairman, I also yield two minutes to the gentleman.

Mr. TAGUE. Mr. Chairman, after all the debate that has gone on upon this great question now before the House I want to say that, so far as I am concerned, I agree with the gentleman from Illinois [Mr. MADDEN] that it is the duty of the Government to get the best contract it can, and in keeping with that suggestion I asked the representatives of the two companies whether

or not they were ready to submit a price to the Government that was fair.

In reply to that request they have told me they are ready at any time to submit the books of their companies to any fair-minded commission and upon their report are ready to rest their case on the decision of that commission. Now, Mr. Chairman, I made the statement yesterday that the money to be expended in the appropriation previous to the one we are now acting upon was to be used for automobiles in place of the pneumatic service. As my colleague upon this floor said to-day, we were apprised of the fact yesterday that the Government officials, notwithstanding this House which appropriates the money has not yet had an opportunity to pass upon it, the representatives of the Postmaster General, are in my district at this time making arrangements for the purchase of automobiles and for the housing of automobiles, not knowing whether or not we are going to appropriate this money and not knowing whether they are going to get the appropriation for the automobile service.

Mr. Chairman, if we are to take the figures submitted to you by the committee that is now working in Boston, and we are going to get 40 automobiles in the city of Boston this year, then I, in the name of the city of Boston, protest against those automobiles going now upon our crowded thoroughfares. And let me say this question of economy is all bosh. Four hundred thousand dollars for new automobiles, \$100,000 for airships, \$500,000 taken from the pneumatic-tube service appropriation, and what is the result? Forty automobiles in the city of Boston! Mr. Chairman, during the debate last year the gentleman from Chicago [Mr. MADDEN] made a speech upon this same subject, and being a business man, one familiar with this question of automobiles and automobile trucks, he made a statement which I think is correct, that it would cost \$3,000 a year for the upkeep and maintenance of an automobile in a city, and if that is so these 40 automobiles are going to cost in my city alone \$120,000 for the maintenance and upkeep, while this appropriation for pneumatic tubes for the city of Boston is \$115,000. Then, again, we are going to purchase some more automobiles. I do not know whether they are going to be purchased under specifications, which is going to give the privilege to any one automobile manufacturing concern as against all the other automobile concerns of this country or not. [Applause.] But at the figures stated by the gentleman from Illinois [Mr. MADDEN], 40 automobiles, at \$1,975, is \$79,000, making a total of \$199,000 for this year for automobiles in the city of Boston. Where is the economy? The defiant manner in which the Postmaster General is going ahead on this matter is in keeping with his previous actions. Ignoring this House and trying by his power in post-office appointments to compel Members to vote as he says and not as they would like to.

I can readily understand why some Members will vote against this amendment, not because they do not believe in it, but because they are obliged to seek favors for their constituents at his hands.

He complains of an insidious lobby, but I want to say here that I have never seen such an exhibition of lobbying in my limited experience as I have seen in this House since this question has been before us. Never have I seen such an utter disregard for the rights of Members of this House as has been shown by the Postmaster General. His word must be law, but I refuse to be led by any such conditions. I am seeking no favor from him, and I hope I never will be obliged to. His actions on this question, and on the question of rural delivery, which have caused so much uneasiness among my fellow Members, who have suffered from his unfair treatment, I regard as the cause of the defeat of many good Democrats. I believe that at this time this House should show that they are able to judge this and other questions for themselves. I am inserting with my remarks a letter from his honor the mayor of Boston, who asks that the tubes be retained:

BOSTON, January 11, 1917.

Hon. PETER F. TAGUE,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: The business men of Boston are practically unanimous in the opinion that the best interests of the Postal Service require the retention and use of the pneumatic-tube service now in operation.

The streets of our city have never been of sufficient width to properly accommodate teaming and passenger traffic and to further encumber them by vehicles engaged in the collection or delivery of mail would work great injury.

During the three years that I have served as mayor I have not received a single complaint relative to delay in local mail delivery, and I am strongly of the opinion that a change in system would result in continuous complaint.

I sincerely trust that you will be successful in your efforts to persuade the postal authorities that it is the consensus of opinion among the business men of Boston that the present satisfactory system should be permitted to continue in operation.

Respectfully,

JAMES M. CURLEY, Mayor.

I also wish to insert the clippings from Boston papers of January 12, 1917—Globe, Herald, and Post:

KEEP TUBE FIGHT OPEN—TAGUE AIDS IN BLOCKING ATTEMPT TO LIMIT DEBATE IN HOUSE ON POST OFFICE BILL.

WASHINGTON, January 9.

After an hour's argument by Representative TAGUE and Representative CONRY, of New York, Chairman MOON, of the Committee on the Post Office and Post Roads failed to get a rule to limit general debate on the Post Office appropriation bill and so to make possible the jamming through of Postmaster General Burleson's plan to abolish the pneumatic-tube mail service in Boston, Philadelphia, Chicago, and the greater part of New York City.

Mr. TAGUE, who is leading the fight in the House against abolition of the tubes, based his argument on allegations that the report of the Burleson Investigating Committee, on which the Postmaster General reached his decision to abolish the tubes, was inaccurate and unreliable. "I do not believe the gentlemen who investigated were disinterested," said Mr. TAGUE.

POSTAL AUTHORITIES PLAN MOTOR SERVICE—APPARENTLY CONFIDENT THAT PNEUMATIC TUBES ARE TO BE ABANDONED.

Although Congressman TAGUE and others are carrying on a fight on the floor of Congress for the retention of the pneumatic-tube service in this city and other large cities, the Post Office Department evidently feels certain of victory in its efforts to abolish the tubes and substitute automobiles.

So certain of success do the postal authorities feel that two inspectors from the office of First Assistant Postmaster General Koons are now in Boston looking over the situation with a view of installing the motor system. The inspectors here are Charles P. Stearns and I. O. Keen. It appears that the department is going right ahead with its motor proposition regardless of the action of Congress on the tube question.

If the comprehensive plan under consideration is carried out there will be no contract system of transporting mail between stations, as at present. The Government will own and operate its own motors. There will probably be 40 or 50 machines in the service, with a Government garage in which to house them. There are at present about 30 wagons and 11 motor trucks in use, all under the contract system. Their work is confined to the city proper, but it is probable that outlying stations like Quincy, Brookline, Newton, and others now served by trains will get their mail by automobile under the proposed plan.

Already schedules for the automobile service have been arranged and the inspectors are going over these. They will probably remain in town for about two weeks and in that time hope to get a pretty thorough knowledge of Boston's complicated postal district with its more than 80 stations.

No date has been set for the starting of this motor mail service. In fact, the money for purchasing the many machines needed for the work has not yet been appropriated. All the plans are being made, however, and this seems to indicate supreme confidence on the part of the department that its plan will be authorized and financed.

WILL NEED 40 AUTOS—FEDERAL POSTAL INSPECTORS ESTIMATE LOCAL NEEDS IF THE PNEUMATIC SERVICE IS ABANDONED.

About 40 motor vehicles will probably be needed for local transportation of the mails after the abandonment of the pneumatic-tube service, according to Charles P. Stearns and I. O. Keen, post office inspectors from Washington, who are in Boston checking up the plans of Postmaster Murray.

It is understood that the department favors the postmaster's scheme to have the Government assume the work of local transportation now performed by contractors. There appears to be a disposition to go ahead with the new plans, regardless of the possible action of Congress in the matter of public protests against the discontinuance of the tube service.

There are now about 30 wagons and 11 auto trucks used in the Boston district. If the present plan of having only auto service for mail transportation is carried out a Government garage will be needed, with a capacity of about 50 cars, and the contractors will go out of business.

Postmaster Murray believes the change will give additional speed in handling the mails and that service will cost less than it has and that the service will particularly benefit cities like Cambridge, Malden, Everett, and Quincy. The visiting inspectors will remain in Boston two weeks longer, familiarizing themselves with the local plans. Just when the new system will be adopted has not yet been settled.

Mr. STEENERSON. Mr. Chairman, I yield two minutes to the gentleman from Illinois [Mr. MANN]. [Applause.]

Mr. MANN. Mr. Chairman, I think it would be unfortunate to abandon the pneumatic-tube service upon any investigation or report that we have had up to date. I have been impressed by the report of the Postmaster General containing the report of his investigating committee, and I want to cite just one instance of that report. On page 24 of that report is this statement:

It has also been demonstrated that an automobile can deliver the mail from the general post office to the Stock Yards Station in 17 minutes, while for any appreciable quantity of mail it requires 21 minutes by tubes.

Now, this is in Chicago, and the comparison is made here between 17 minutes by automobile and the admitted 21 minutes by tubes. There is an immense amount of mail that comes to Chicago of vital interest to the stock raisers of the country that goes to the stockyards in connection with daily consignments of stock. The eastern mail is taken off at Englewood; the mail coming over the Rock Island road is taken off at Englewood. All the rest of the western and southern mail goes to the post-office building downtown. Now, when you say you can take an automobile in 17 minutes from the post-office building to the Stock Yards Station and compare that with 21 minutes by

tube, all I need to do is to say to you that the Stock Yard Station is more than 5 miles from the post-office building downtown, and the man does not live who can take an automobile through the congested districts of Chicago 5 miles in 17 minutes, nor twice 17 minutes, nor three times 17 minutes. That is an example of the testimony. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEENERSON. Mr. Chairman, I made a minority report, in which, among other things, I stated I disagreed with the majority reducing the appropriation for pneumatic-tube service. The transportation of the mail is an administrative function. The appropriation of the funds with which to carry on this service is a legislative function. I do not think that the Congress ought to be called upon to determine whether or not this pneumatic-tube service should be continued. I think that is properly a matter which rests upon the executive branch of the Government. I know that for many years, under both Republican and Democratic administrations, it has been the custom for the administrative branch of the Government, whenever they had anything unpleasant to do, to try to shoulder it on the legislative branch, and therefore they will ask for a very small appropriation, and when it comes to administering that service they will say, "We can not give you this service because Congress refused or neglected to appropriate the money," and that is what is going to be done in the pneumatic-tube matter. If we do not increase this appropriation, they will throw the blame upon Congress and say, "Why, Congress did not provide the means, and therefore we can not give the service." Therefore I say, in fairness to Congress and to the executive branch of the Government, let us make the appropriation; and if the executive branch of the Government should demonstrate that it does not desire to spend it, the responsibility rests upon it for failing to supply this service. [Applause.] The Postmaster General can not then come back and say, "Here, I would have been glad to have given you any kind of service, provided Congress would have given me the money." The idea has been to shift the responsibility, which I do not think is proper, on Congress, and I do not favor it, and I do not believe we should vote so here. We should appropriate this money and place the responsibility where it belongs, upon the executive branch of the Government. Let them refuse and fly in the face of public opinion of Philadelphia, New York, St. Louis, Boston, and Chicago, if they so desire. That is my position, and I hope everyone will vote to increase this appropriation. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota is exhausted. The gentleman from Tennessee has some time remaining.

Mr. MOON. How much time have I?

The CHAIRMAN. The gentleman has 26 minutes remaining?

Mr. MOON. I yield five minutes to the gentleman from New York [Mr. HULBERT].

Mr. HULBERT. Mr. Chairman and gentlemen, most of the discussion that has been had upon this question has been predicated upon the theory that no curtailment of the pneumatic-tube service in the city of New York is contemplated. That is, according to my understanding, erroneous.

The service in New York at the present time consists of approximately 27 miles of double 8-inch tubing, and there are transmitted through such tubes about 80,000 pneumatic-tube carriers daily between 4 a. m. and 11 p. m., by which means 5,000,000 pieces of first-class mail matter are disposed of.

Each carrier has a capacity of about 450 ordinary-sized letters or about 250 large-size letters, which are dispatched every 10 or 15 seconds, or at the rate of 6 and 4 per minute, respectively, and travel at a speed of 30 miles per hour.

The tube company installs and operates the system, for which the Government pays a rental of \$17,000 per mile per annum.

There is a line in operation from the general post office in New York across the old bridge to the general post office, Brooklyn, and thence to Station L of the latter office, which is situated in the depot of the Long Island Division of the Pennsylvania Railroad at Flatbush Avenue. It is proposed to abolish this extension from the general post office, Brooklyn, to Station L.

Another line is in operation between the general post office, New York, and Hudson Terminal, and another from the general post office to Wall Street Station, to Station P in the customhouse. While these lines are very short, they accommodate the financial, banking, and shipping interests of the lower section of the city.

Another line is in operation on the west side of the city connecting the general post office and Stations V, at West Broadway and Beach Street; A, Prince and Greene Streets; O, West Eighteenth Street; C, West Thirteenth Street; Pennsylvania Terminal; Times Square; G, West Fifty-first Street;

N, Broadway and Sixty-ninth Street; W, West Eighty-third Street; I, West One hundred and sixteenth Street; and J, West One hundred and twenty-fifth Street, near Eighth Avenue, continuing across town to Station L, One hundred and twenty-fifth Street and Lexington Avenue; thence to U, Third Avenue and One hundred and third Street; K, East Eighty-eighth Street; Y, Third Avenue, near Sixty-seventh Street; Grand Central; F, East Thirty-fourth Street; Madison Square; D, East Twelfth Street, to the general post office.

In connection with these lines there is also a cross-town line between the Pennsylvania Terminal Station, on the west side, and the Grand Central Station, on the east side, as is the case between Stations J and L on One hundred and twenty-fifth Street, thus creating two complete loops of pneumatic-tube service.

Now, let us see what is proposed to be done.

I will read from the annual report of the Postmaster General for the fiscal year ended June 30, 1916 (dated Nov. 15, 1916):

Following a thorough investigation and careful consideration by the department, it has been decided to issue an advertisement for proposals to perform mail service by pneumatic tubes in the city of New York, N. Y., in the territory south of the Grand Central and Times Square Stations, between the points between which pneumatic-tube service is now in operation and between the general post office at New York and the general post office at Brooklyn. A separate advertisement will be issued for the territory in New York north of the Grand Central and Times Square Stations, between which the service is now in operation. * * * As this loop is a part of the system of pneumatic tubes in New York City, a portion of which we are recommending be continued, the company may be willing to operate it at a cost commensurate with the results obtained therefrom. In order that the company may have an opportunity to do so, we are recommending that a separate advertisement be issued for the service north of Grand Central and Times Square Stations, but that the contract be not renewed unless a very material reduction in cost is secured.

I am at a loss to understand, after 20 years' residence and an active business experience in New York City, why there should be any discrimination between the service above and below Forty-second Street, because the natural trend of business growth and advancement has been uptown for years. When I came to New York City from a country town in western New York State the center of activity in the retail shopping district was on Fourteenth Street; it removed to Twenty-third Street, thence to Thirty-fourth and Forty-second Streets, and is pressing on toward Fifty-ninth Street, while the great increase in population has created additional congested centers on One hundred and twenty-fifth Street and upper Broadway and at One hundred and forty-ninth Street and Third Avenue, in The Bronx.

Now, as a matter of fact, most of the post-office substations below Forty-second Street have been permanently located, so that the fixed overhead charges of the operating company are ascertainable to a reasonable certainty; but, due to the constantly increasing population in the upper sections of Manhattan and The Bronx, and the physical changes being wrought in every neighborhood in consequence, there will be the necessity of relocating post-office substations on the upper loop, and, as the expense connected therewith for the removal and transfer of the tubes is assumed by the operating company, in accordance with the terms of the contract, it seems to me there is every prospect of a very much greater overhead expense in order to operate above Forty-second Street and less likelihood of the company being able to renew the contract at "a very material reduction in cost."

Mr. Chairman, much emphasis has been laid upon the adverse reports made by the postmasters of Boston, Chicago, and St. Louis, but all of the opponents of this amendment have carefully avoided any reference to the statement and opinion of the postmaster of New York, who, as my colleague [Mr. BENNET] stated, has had 45 years' experience in the postal service.

Mr. Morgan appeared before the committee on December 14, 1916, to which date, I am very happy to state, the committee had adjourned the hearing from the Monday preceding in order to give the business interests of New York City an opportunity to be heard. The postmaster pointed out that it required 36 minutes to send mail by carrier through the pneumatic tubes from Station P, at the Battery, to Station J, in Harlem, and if rehandled at the Penn Terminal Station 10 minutes additional time was required, or a total of 46 minutes, and that by auto from Station P up to Station J 2 hours and 31 minutes were required. Upon that comparison can there be any question as to the necessity for the renewal of the contract for the operation of the tube service upon the entire unit in the Borough of Manhattan?

Now, let me emphasize another point. The two most northern substations on the uptown loop—Stations J and L—are on the southern boundary line of the congressional district which I have the honor to represent. The northern boundary is only

16 blocks above. The district extends from the Hudson River to the East River and is intersected by the Harlem River, which separates the Boroughs of Manhattan and The Bronx. Because the people on the south side of the Harlem River, who are served from Stations J and L, have the advantage of the pneumatic-tube service their mail is delivered within from two to six hours sooner than is that of any of my constituents on the other side of the Harlem River, only a few blocks away, and in many instances is received fully 24 hours later. For example, I have mailed several communications at the same time from my office in the Woolworth Building in the middle of the day, of which those addressed to persons residing on the south side of the Harlem River were received that evening, while those addressed to persons on the north side of the Harlem River were not delivered until the next morning after the addressee had gone to business, and so was not received by him until he returned home that evening. This service is less efficient than that in any rural community with which I am familiar.

For some time the extension of the pneumatic-tube service under the Harlem River, which carries a commerce of 15,000,000 tons per annum, having a value of more than \$1,500,000,000, necessitating the opening with great frequency of the many drawbridges that cross the river and seriously interfering with the transportation of the mails from Station L to Stations X and R in The Bronx by automobile, has been agitated. My colleagues [Mr. BENNET and Mr. BRUCKNER] and myself endeavored to secure the adoption of an amendment authorizing this extension when the Post Office appropriation bill was under consideration last year. While we failed, we were subsequently encouraged by the committee. Then came the report of the departmental commission appointed by the Postmaster General. The service ought to be extended.

NEW YORK, February 24, 1916.

HON. MURRAY HULBERT,
House of Representatives, Washington, D. C.

DEAR SIR: By direction of the police commissioner, receipt is acknowledged of your communication addressed to him under date of February 23, requesting information as to the total number of persons and vehicles passing the intersection of One hundred and forty-ninth Street and Third Avenue for a period of 24 hours.

The recent count made by this department was for a period of 10 hours, from 8.30 a. m. until 6.30 p. m., during which period there was a total of 69,640 pedestrians and 7,344 vehicles counted as passing that point in all directions.

Respectfully,

LAWRENCE B. DUNHAM,
Third Deputy Commissioner.

UNITED STATES POST OFFICE,
New York, N. Y., February 25, 1916.

HON. MURRAY HULBERT, M. C.,
House of Representatives, Washington, D. C.

MY DEAR MR. HULBERT: The following data are submitted in reply to your letter of the 22d instant:

	Station R.	Station X.
Gross receipts Jan. 1 to Dec. 31, 1915	\$164,481.09	\$93,664.62
Expenses Jan. 1 to Dec. 31, 1915	119,193.40	97,815.58
Approximate number of pieces of ordinary mail matter handled daily:		
Dispatched—		
Letters and cards	25,000	22,000
Newspapers and periodicals	4,000	200
Circulars and other printed matter	3,300	5,500
Parcel post	500	750
Special delivery articles	75	80
Delivered—		
Letters and cards	23,500	30,000
Newspapers and periodicals	1,500	2,400
Circulars and other printed matter	2,300	2,500
Parcel post	550	400
Special delivery articles	60	60

Number of daily deliveries, 5 in each station.

The estimated percentage of first-class mail (letters and cards) which would be transported by tube in the event of the extension of pneumatic-tube service:

For dispatch to other points, 95 to 97 per cent; for delivery on district, 60 to 92 per cent.

Very truly, yours,

E. M. MORGAN, Postmaster.

On December 21, 1916, I introduced a bill providing for the extension, of which the following is a copy:

A bill (H. R. 19294) to extend the pneumatic mail-tube service and improve the efficiency of the postal system in New York City.

Be it enacted, etc., That the Postmaster General is hereby authorized to enter into contracts for the extension of the pneumatic mail-tube service from Station L to Stations X and R, and from Station J to College and Hamilton Grange Stations, in the city of New York; and the sum of \$85,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry out this work.

The amount necessary in order to continue the pneumatic-tube service is \$976,000. The gentleman from Massachusetts [Mr. TAGUE] has been good enough to add the \$85,000 required for the extension above provided for, making the amount to

which it is sought to increase the appropriation, as recommended by a majority of the committee, to \$1,061,000. Unfortunately, this will only provide the money, and will not compel the Postmaster General to contract for its expenditure for the purpose intended. I conceive that a specific direction to that effect would, under the rules of this House, be subject to a point of order. But we may be able to get our relief in the Senate. In all events, I can hardly believe that the Postmaster General, who is not directly responsible to the people for the great office that he occupies, will defy the will of the people as expressed by their Representatives, whom they have chosen to act for them, and I trust that the amendment will prevail.

In conclusion, I wish to state that the representatives of the business interests in New York did not feel that the presentation of their case in behalf of the people of New York City would be complete if the Committee on the Post Office and Post Roads were not afforded an opportunity of coming to New York and making an inspection of the situation for themselves. So on behalf of the various organizations, whose representatives appeared at the hearing, I extended to every member of the committee an invitation to come over to New York. The committee intended to close its hearings on Thursday evening, December 14, and it was hoped that the members could conveniently arrange to spend Friday or Saturday, or both, of that week in New York City so that they could see not only the manner in which the pneumatic tube operates in New York City but so that they might appreciate the congested conditions, and I mentioned that we would try in the meantime, if we could, to provide them with a snowstorm. I would remind the gentlemen of this House that on the following morning we were accommodated both in Washington and New York with a lusty blizzard, but the committee did not feel able to avail themselves of the invitation.

Under general leave granted to extend my remarks, I desire to insert in the RECORD a letter which I received from the postmaster at New York, dated December 12, 1916, and the statements of Inspector Thomas Myers, in charge of the traffic department of the New York police department, and Mr. W. F. Deberard, representing the Merchants' Association of New York and other New York associations, who attended the hearing on December 14, 1916:

UNITED STATES POST OFFICE,
New York, N. Y., December 12, 1916.

HON. MURRAY HULBERT, M. C.,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I have before me your letter of the 11th instant requesting to be furnished with certain information regarding the pneumatic-tube service in this city, for use in the hearing next Thursday morning (Dec. 14) before the House Committee on Post Office and Post Roads, and in compliance therewith have to advise you as follows:

Question (1). Do you favor the authorized use of the pneumatic-tube connection between the customhouse and the appraisers' stores for postal purposes?

Answer. Yes; with suitable post-office connections.

Question (2). Would such use facilitate the delivery of first-class postal matter from the downtown financial and commercial district to the Foreign Station?

Answer. Yes.

Question (3). Would such service extend the time within which supplementary mail could be sent from the downtown financial and commercial district to vessels departing for foreign and domestic ports?

Answer. Yes; later mailing time would be possible for foreign supplementary mail.

Question (4). Can you estimate the percentage of first-class mail which would be transported by this tube in the event of its authorized use by the postal authorities?

Answer. All of the first-class mail from the downtown financial and commercial district for foreign dispatch mailed between 4 a. m. and 11 p. m.

Question (5). Do you know what the additional expense to the Government will be to extend the use of this tube for postal purposes?

Answer. I am not aware of the additional expense involved; this would be a matter for departmental adjustment with the contractor for pneumatic-tube service.

In connection with the answers to questions 2 and 3, I have to state that there is absolutely no doubt that if this tube line were turned over to the Post Office Department it could be utilized to advantage in the transmission of mails. All of the letters, documents, etc., now transmitted through the line could be sent by the Post Office Department for the Treasury Department, and the surplus capacity of the line used to transport the regular mails, provided the line was connected to two of the present post-office stations, namely, Foreign Station and Hudson Terminal Station, both of which are located a short distance from the line, and it is very probable that some arrangement could be made with the New York Pneumatic Service Co. to operate it in connection with its system of mail tubes which connect the stations throughout the city.

Very truly, yours,

E. M. MORGAN, Postmaster.

STATEMENTS BEFORE THE COMMITTEE.

Mr. HULBERT. Now, we have brought here to-day the inspector of the New York police in charge of traffic, with a view to giving you not only some facts with regard to congestion south of Forty-second Street—concerning which there does not seem to be any doubt in anybody's mind—but for the purpose of proving also that there is a very substantial congestion above Forty-second Street, and that the congestion above Forty-second Street is multiplying, and in some instances is greater now than the congestion below Forty-second Street,

because it seems to be the opinion of the Postmaster General and of the committee who have investigated this matter at his direction that there is less necessity for the operation of the tubes above Forty-second Street than there is below, and with that idea in mind I have brought from my office this morning this large map in order that the inspector, when we call him, may give you the respective areas of the borough, and then show you that the total amount of traffic in all four boroughs outside of Manhattan is less than that in the Borough of Manhattan.

I will therefore introduce Inspector Thomas Myers, of the New York police department, in charge of the traffic bureau.

STATEMENT OF MR. THOMAS MYERS, INSPECTOR IN CHARGE OF THE TRAFFIC DEPARTMENT, NEW YORK POLICE.

Mr. MYERS. Mr. Chairman and gentlemen, I have been sent here by the police commissioner of the city of New York, a man who never loses sight of an opportunity to preserve life, property, and limb of the people of the city of New York.

I have been sent here because I am directly in charge of the traffic squad of the entire city, not the Borough of Manhattan alone, which seems to be the borough now questioned, but the entire city.

Now, it may be of interest to you to know just what the traffic squad is and what they are trying to do. The police force of the city of New York, as you know, is composed of an army of nearly 11,000 men. The traffic squad is composed of 650 specially selected and specially trained men from among that 11,000, and is taught the manner and the best methods of regulating traffic. I have charge of those 650 men. Those men cover the important traffic centers throughout the city. Out of that 650 men we find it necessary to place all of them except 76 right in the Borough of Manhattan—a little spot on that map which you can see there—the widest point of which is but about 2 miles and the length 12½ miles at the longest point, 19 square miles of territory, two and a half million people.

Mr. HULBERT. Right there, Inspector, will you give us the figures showing the area of Manhattan Borough?

Mr. MYERS. Of the different boroughs?

Mr. HULBERT. Yes.

Mr. MYERS. The Borough of Manhattan is 19 square miles.

Mr. HULBERT (indicating on map). This is the Borough of Manhattan.

Mr. MYERS. Brooklyn, 21 square miles.

Mr. HULBERT. This is Brooklyn [indicating].

Mr. MYERS. Borough of Queens, 117 square miles.

Mr. HULBERT. This is Queens [indicating].

Mr. MYERS. Borough of The Bronx, 42 square miles.

Mr. HULBERT. This is The Bronx [indicating].

Mr. MYERS. Borough of Richmond, which is Staten Island, 57 square miles, three times as large as Manhattan.

Now, as I stated before, we find it necessary to place all of those men except 76 in the Borough of Manhattan, to properly regulate the traffic. That traffic has increased to such an extent in the last few years that we have laid awake nights thinking about it. We have studied, we have devised every way that could be thought of by human mind to regulate this traffic, and I want to say that we are now out to the last ounce in the matter of traffic regulations, the matter of handling the traffic on the streets of New York. And I dare say—and I do not fear contradiction in this—that we have the best traffic squad in the world; we have the best traffic regulations in the world, but notwithstanding all that, as I said before, we are out to the last ounce in the matter of handling traffic in the city of New York.

Mr. HULBERT. How many automobiles were there in New York during the past year?

Mr. MYERS. In 1915 there were 102,000. On yesterday there were 140,000, an increase of 38,000 in one year.

Mr. HULBERT. How many trucks were there in that 140,000?

Mr. MYERS. About 21,000.

Mr. HULBERT. And how many of those trucks were in the mail service?

Mr. MYERS. At the present time there are 123 mail trucks, averaging 2½ tons carrying capacity, 6 feet wide, 15 to 18 feet long; 20 parcel-post trucks; and 80 horse-drawn vehicles.

Mr. HULBERT. Now, by reason of your special study of the traffic problems of the city of New York, have you determined the needs and have you made any recommendation to the board of aldermen respecting the limitation or the control of the speed of trucks which are 2½ tons or more?

Mr. MYERS. Two tons or more.

Mr. HULBERT. Will you tell us what has been done with respect to that?

Mr. MYERS. From my experience since I have been assigned to the traffic squad and 26 years' experience in the city of New York, two years in charge of the entire traffic squad, eight years connected with the traffic squad in various ranks—lieutenant, captain, and up to inspector in charge of all the traffic squad—I have found it necessary, on account of the loss of human life caused by vehicles in the city of New York, to recommend—or to have my police commissioner recommend to the board of aldermen—that the speed limit of all trucks, 2½ tons or over, be reduced to 8 or 10 miles an hour. I recommended 8 miles an hour, but the commissioner submitted to the board 10 miles an hour. I am going to insist on that same thing again. Gentlemen, something must be done in the city of New York when you stop to think that every 14 hours of the 365 days in the year a human life is crushed out in the city of New York.

Mr. HULBERT. You mean by some vehicle?

Mr. MYERS. I mean by a vehicle—a street accident. One human life every 14 hours, and some person is maimed or injured in vehicular accidents every 23 minutes. The thing has gotten even to such a state as that in the city of New York.

Mr. HULBERT. Inspector, is there any device that you know of that can be attached to trucks having a capacity of more than 2 tons so that their speed can be mechanically regulated?

Mr. MYERS. I failed to state that at the same time I recommended that trucks be equipped with governors—speed governors—so that they could not violate the speed regulations.

Mr. HULBERT. Will you explain—if you will permit an interruption—will you explain the difficulty that you have in regulating the speed of mail trucks at the present time as compared to other automobile vehicles?

Mr. MYERS. I was just going to reach that. I was going to say that had I been called down here—or sent down here—to help take the present mail trucks that we have in the city of New York off the streets, why, I would not have been surprised at all; but I was really

surprised when the police commissioner said, "They are trying to give us more mail trucks in the city of New York; see what you can do. You know what the trucks are doing to the children and the people of this city."

Now, from my experience I consider one mail truck at the present time, on account of the right of way which we give the mail trucks and the right of way which they take—and which every policeman is loath to interfere with on account of the United States mails—

The CHAIRMAN (interrupting). While you are right on that I want to ask you, does that tend to make the Government truck safer or not? Mr. MYERS. It makes it more dangerous.

The CHAIRMAN. More dangerous, when everybody gives them the right of way, more dangerous than any other time?

Mr. MYERS. Yes, sir; the mail driver drives out from his post office and he jangles his bell and he rushes through the streets, and other drivers of horse-drawn and motor vehicles have to jam their brakes and traffic must be stopped and pedestrians run to the sidewalk. Every day this occurs right from the old post office down in Mail Street and Park Row. I see it every day of my life; the mail truck coming out from that post office and going right through the crowded streets.

Mr. MADDEN. Haven't you the same right to regulate the speed of the mail traffic that you have the other traffic?

Mr. MYERS. Yes, sir.

Mr. MADDEN. Why don't you do it?

Mr. MYERS. Well, we do it to this extent: You understand that the speed ordinance of the city of New York now permits 15 miles an hour, and that between 15 and 20 miles we must show that there was some recklessness. As a matter of fact, that makes the speed limit practically 20 miles an hour. Now, a truck of 2½ tons, loaded, going through the streets at 18 or 20 miles an hour—which they do—is dangerous, because a man can't stop a truck the same as he can a pleasure automobile.

Mr. Cox. Have you any record showing how many of these persons were killed by mail trucks, when you say that one was killed there every 14 hours in the last year?

Mr. MYERS. No, sir; I haven't any record of that. I just got this notice yesterday to come down here, and I didn't have time to get statistics together, but here is the data I have:

Out of the persons killed there were 102 children under 6 years old; 179 between the ages of 6 and 16.

The CHAIRMAN. Where were they killed; where these pneumatic tubes run?

Mr. MYERS. They were killed by trucks; killed by motor trucks in 1915.

Mr. Cox. As I understand you, you say you have no data showing how many people were killed by Government mail trucks during the last year?

Mr. MYERS. No, sir; I do know that people have been killed, but I haven't the data of the exact number.

Mr. Cox. You have no data showing how many persons were injured by Government mail trucks, when you say there would be a person injured every 23 minutes? You have no data showing how many were injured by mail trucks?

Mr. MYERS. No, sir; but I do know people have been injured by mail trucks.

Mr. Cox. Does the data show in what part of the city these injuries occurred, as Judge Moon indicated here? Has it occurred in the territory where the tubes are located, or other places as well?

Mr. MYERS. The Borough of Manhattan shows a greater percentage than any of the others.

The CHAIRMAN. You mean all over the city?

Mr. MYERS. No; I mean all over Manhattan.

The CHAIRMAN. How many trucks are there running in the city of New York?

Mr. MADDEN. Six thousand, about.

Mr. MYERS. I have the data of commercial trucks here. Commercial wagons, of course, might mean small wagons. There were 21,000 licensed as commercial.

The CHAIRMAN. How many automobiles are there that aid in that congestion of the city?

Mr. MYERS. One hundred and forty thousand.

The CHAIRMAN. That covers the whole city?

Mr. MYERS. Yes, sir.

The CHAIRMAN. Now, how many Government trucks are there?

Mr. MYERS. I just gave it to you, sir. I was just giving it for the Borough of Manhattan, 143, and 80 horse-drawn.

The CHAIRMAN. One hundred and forty-three out of a total of what?

Mr. MYERS. Twenty-one thousand trucks.

The CHAIRMAN. That includes, of course, the trucks that carry all of the Government mail except about 10 per cent, 60 per cent of which goes through the tubes. Now, there is a little balance of it that goes by the trucks, doesn't it?

Mr. MYERS. I don't understand you.

The CHAIRMAN. What part of the letter mail goes by automobile?

Mr. MYERS. I can't answer that.

The CHAIRMAN. Now, just assume that it will take 20 to 25 more trucks in the whole of the city of New York to carry the amount of first-class mail that is now conveyed through pneumatic tubes, how much would that add to the danger to life and property in your city?

Mr. MYERS. Twenty-five, did you say?

The CHAIRMAN. Yes.

Mr. MYERS. I would, in the lowest estimation, say that by adding 25 mail trucks to the traffic of the city of New York you are adding 250 trucks actually to our traffic and the matter of operation, the matter of dealing with other vehicles, and the danger that they would cause.

The CHAIRMAN. Let us call it 250 that were added, what proportion would that bear to the whole number of trucks and automobiles, and things that congest traffic?

Mr. MYERS. Well, the only way that I can answer that—

The CHAIRMAN (interposing). How many automobiles did you say they have?

Mr. MYERS. One hundred and forty thousand.

The CHAIRMAN. 140,000 automobiles and 21,000 trucks. How many wagons are there?

Mr. MYERS. 73,000 about—73,000 last year.

The CHAIRMAN. How many does that make as a total?

Mr. MYERS. 214,000.

The CHAIRMAN. 214,000 vehicles there now, and you say if the Government should see fit to put in 25 more or 250 more, as the case may be, that it would make an intolerable condition in traffic and make it dangerous to life.

Mr. MYERS. Mr. Chairman, I say the condition is now intolerable, and to add one more drop to the already full bucket is going to show more than if you were shy 100,000.

Mr. STEENBERSON. In what respect does the traffic rules that you enforce against mail drivers differ from those enforced against all other trucks? Or do you treat them the same?

Mr. MYERS. No, sir.

Mr. STEENBERSON. Where is the difference?

Mr. MYERS. They are given the right of way; that is, if we establish a one-way street, which we have already found it necessary to do in the Borough of Manhattan, where we have 27 or 28 one-way streets—streets in which vehicles must travel in one direction—the mail wagon don't respect our one-way streets, because they say they have contracts and can't go around the block, but must take the shortest route they can, even against this congested traffic.

Mr. STEENBERSON. Well, you permit them to go in the opposite direction from other vehicles?

Mr. MYERS. Yes; where they desire to do so.

Mr. STEENBERSON. That is one distinction. Now, is there any distinction as to the speed?

Mr. MYERS. They are governed by the same speed regulations; yes.

Mr. STEENBERSON. You enforce the same regulations as to speed on them?

Mr. MYERS. Yes, sir.

Mr. STEENBERSON. But the difference is that you have to allow these Government automobiles to travel either way.

Mr. MYERS. Well, I might add a little further to that. They are given special privilege when they are coming to street crossings. Other vehicles a great many times are held up to allow them to proceed.

Mr. STEENBERSON. That is in the discretion of the policeman—the traffic officer. He holds them up, gives them the signal not to cross.

Mr. MYERS. Yes, sir.

Mr. STEENBERSON. Now, he signals them not to cross if they are private automobiles or trucks, but being mail wagons he may permit them to cross?

Mr. MYERS. Yes, sir.

Mr. STEENBERSON. Out of order; but he wouldn't do that if there was danger of a collision, would he?

Mr. MYERS. No, sir.

Mr. STEENBERSON. He would use his own discretion as to whether it was safe to permit a mail wagon to cross?

Mr. MYERS. Yes, sir.

Mr. STEENBERSON. Is there any other distinction?

Mr. MYERS. Yes, sir; there is another distinction that seriously interferes with the control of chauffeurs of mail trucks, and that is that if they violate any law they must not be in any way interfered with or stopped, but the officer must proceed with them to the end of their route, no matter where that is—at the end of upper Manhattan—before they place them under arrest.

Mr. STEENBERSON. That is the law.

Mr. MYERS. That is the rule that we work under in New York. That is in order not to interfere with the mail.

Mr. STEENBERSON. In consideration that the mail must not be stopped.

Mr. MYERS. Yes, sir.

The CHAIRMAN. Now, you say these special privileges that you have given to Government trucks make them more dangerous than the others?

Mr. MYERS. Yes, sir.

The CHAIRMAN. Well, now, you have the right in the city of New York to enforce your regulations against the Government vehicle as well as others; why don't you enforce it?

Mr. MYERS. They have the right of way, Mr. Chairman, that we couldn't take away from them.

The CHAIRMAN. Of course they have got the right of way, but they have got no right to violate the ordinances of your city.

Mr. STEENBERSON. Well, Mr. Chairman, as I understand it, the city, I suppose with the cooperation of the Government, has established these rules for the government of the traffic squad.

Mr. MYERS. Yes, sir; to facilitate the movement of the mail.

The CHAIRMAN. That is true, but you must not put the blame upon the Government if there are disadvantages arising from your own traffic regulations.

Mr. STEENBERSON. Has the question ever arisen as to whether the Government could enforce this privilege over other traffic or not?

Mr. MYERS. That has never been done, to my knowledge.

Mr. STEENBERSON. But it is assumed without question that you can not arrest a mail driver until he comes to the end of his route.

Mr. MYERS. Yes; otherwise you would be interfering with the United States mail.

Mr. STEENBERSON. And that has the preference over other traffic?

Mr. MYERS. Yes, sir.

Mr. STEENBERSON. That is what is supposed to be the law, whether it is or not?

Mr. MYERS. Yes, sir.

Mr. STEENBERSON. And that is the way you enforce it?

Mr. MYERS. Yes, sir.

Mr. STEENBERSON. Well, this permitting them to go in the opposite direction from other vehicles on certain streets, where there is a one-way traffic established, has that ever been discussed as between the Federal officers in charge of the mail and the city officers; or is that simply a concession that you make?

Mr. MYERS. That is just a concession.

Mr. STEENBERSON. You say they claim they have contracts that require them to travel both ways?

Mr. MYERS. I have heard that expressed by one connected with some one or other of the stations when I visited the stations to take up the matter of establishing one-way streets. "We can't go through there because that would mean 30 seconds or a minute more, and would mean so much more mileage," they would say.

Mr. STEENBERSON. The objection was raised on the part of those in charge of mail traffic that their contract required them to travel in that direction, in the opposite direction from the rest of them?

Mr. MYERS. Well, I wouldn't say just in so many words. I would say that they claim that they have a contract whereby the mail has to be delivered in such and such time, and that they had figured on the basis of going through that street and in that direction.

Mr. STEENBERSON. In order to make the schedule?

Mr. MYERS. Yes, sir; continuing around the block.

Mr. STEENBERSON. And you conceded that right without any contention or dispute?

Mr. MYERS. Yes, sir.

Mr. STEENBERSON. Supposing they had the superior right?

Mr. MYERS. Yes, sir.

Mr. TAGUE. Mr. Inspector, it is generally agreed that the Government requires of the city authorities that the wagons be given the right of way; isn't that the request from the Government?

Mr. MYERS. Well, since time immemorial, since I have known anything about the traffic or police business, they have been given that right. I can't say just how it is.

Mr. TAGUE. In your city, for instance, if you oblige the Government trucks to live up to your street requirements they never would get the mail to its destination on time?

Mr. MYERS. Certainly not.

Mr. TAGUE. Now, again, when you follow a driver to the end of his route you are not allowed to take him off his mail wagon until a substitute can be put in his place?

Mr. MYERS. That is right.

Mr. TAGUE. Do you know of any time where a mail driver in your city—how many times have they been found guilty of violating the law, so far as violating the traffic laws are concerned, at least, by overspeeding? Isn't it generally conceded that they are allowed the right of way?

Mr. MYERS. I am not prepared to answer that question definitely.

Mr. MADDEN. Your own point is that the traffic in the city of New York is too dense now; that you can't put any more traffic on the streets with due regard to the safety of life and limb?

Mr. MYERS. That is what I am here for; yes, sir.

Mr. HULBERT. Inspector, the fact is that at points of intersection, where there is special congestion, you endeavor to move the traffic first in one direction and then in the other direction on the cross streets by periods, do you not?

Mr. MYERS. Yes, sir.

Mr. HULBERT. And if after you have begun to move the traffic up-town on a street or avenue going north and south, a mail wagon is approaching on a street running east and west, you have to break into the traffic moving in its regular period, in order to permit the mail wagon to cross, don't you?

Mr. MYERS. Yes, sir.

Mr. HULBERT. And the fact of your breaking in on that period, under those circumstances, prevents the continuity of the periods in which you attempt to move the traffic, does it not?

Mr. MYERS. Yes, sir.

Mr. STEENBERSON. Another question there—whether it is legal or not, as I understand it, you do give the mail trucks preference in certain respects over other trucks, and I would like to know whether, in your opinion, the addition of more mail trucks would endanger the people on the streets more—that is, one additional mail truck—whether it would endanger pedestrians and other traffic there more than the addition of another truck of equal size, whether they are more dangerous on account of the special privilege you extend to them?

Mr. MYERS. Yes, sir; and that, combined with the special privileges that they take where policemen, where traffic policemen are not stationed, amounts to 10 to 1.

Mr. STEENBERSON. They are more dangerous than other trucks, then?

Mr. MYERS. Yes, sir.

Mr. STEENBERSON. For these reasons?

Mr. MYERS. Yes, sir.

Mr. HULBERT. Inspector, assuming that there were no mail trucks on the streets of New York at all, so that there would be no special privilege to any class of vehicles upon the streets, wouldn't that fact make more easy the regulation of traffic north and south, east and west at points of congestion? Now, is not the action of the police officer influenced by the fact that these mail wagons are carrying the United States mail?

Mr. MYERS. Yes, sir.

Mr. HULBERT. Has any action been taken by your department to prevent the use by mail wagons of the one-way streets by going in the opposite direction?

Mr. MYERS. No, sir; we haven't taken any action to prevent them going in opposite directions. They have, in establishing one-way streets, taken it up with the postmaster in New York, and he cooperated with us in so far as a little regulation of Dye Street at the lower post office; but that interfered much which way the trucks went.

Mr. HULBERT. Is not the effect of a mail wagon going in the wrong direction on a one-way street to tie up all of the vehicles on the block in that street until the wagon has traversed the entire distance of that block?

Mr. MYERS. Well, I wouldn't say that it would tie it up for the whole block, but it would tie it up just at the place where they met.

The CHAIRMAN. Just the length of the truck.

Mr. MYERS. Probably two or three trucks, not one truck.

Mr. STEENBERSON. To what extent would it delay the mail to have them comply with the rules as to one-way streets? Would it materially delay the transportation of the mail?

Mr. MYERS. Yes, sir; if the mail wagons are required to comply with the one-way streets that we are now establishing and traveling at times blocks six or seven hundred feet long to go around and come up right in the other streets, they will travel miles farther than they are traveling now, and instead of 25 or 30 minutes they will be an hour and fifteen or an hour and a half going over the same route to comply with the regulations. And I want to say right here, if we are successful in getting by this ordinance this coming winter before the board of aldermen reducing the speed of all trucks to 8 or 10 miles an hour to preserve life, and then have them comply in addition to that with traffic regulations, the speedy movement of the mail will be at an end in the city of New York.

Mr. MADDEN. Mr. Inspector, you stated a few minutes ago that one mail truck on the streets of New York, on account of its having the right of way on the street, on account of the reckless manner in which the driver is operating the machine, would be equivalent to 10 privately owned and operated trucks.

Mr. MYERS. Yes, sir.

Mr. MADDEN. The chief of the traffic squad of Philadelphia, in his testimony the other day, said that 1 mail truck was equivalent to 322 privately owned trucks. You don't agree with him?

Mr. MYERS. I am not responsible for him.

Mr. HULBERT. May I interrupt you to suggest that the streets of Philadelphia are very much wider than they are in New York.

Mr. MYERS. I want to be conservative.

Mr. STEENBERSON. I would like to ask you—as I understand your view, it is that the danger from congested traffic is constantly growing?

Mr. MYERS. Yes, sir.

Mr. STEENBERSON. And that it has now reached a point where it is necessary to have more strict traffic regulations?

Mr. MYERS. Yes, sir.

Mr. STEENERSON. And that if you do have more strict traffic regulations, slower speed, more one-way streets, and if you enforce these traffic regulations as against all vehicles, not only Government vehicles but other vehicles, that it will increase—it will either delay the transportation of the mail unreasonably or it will make underground transportation of mail absolutely necessary to the safety of the people of New York?

Mr. MYERS. That is exactly what I claim; yes, sir. And now I can not understand for my life why anyone would suggest putting more trucks on the streets of New York when we are racking our brains to get underground channels for pedestrians to cross thoroughfares, overhead viaducts, or some way to getting out of this terrible traffic jam.

Mr. STEENERSON. In other words, you claim the only alternative we have is either to have a delayed mail service—an unreasonably delayed mail service—or greater facility on the streets?

Mr. MYERS. Yes, sir.

Mr. STEENERSON. Why, by reason of congested travel?

Mr. MYERS. Yes, sir; that is it exactly.

Mr. HULBERT. You have some figures here with regard to the question of congestion, haven't you?

Mr. MYERS. Yes, sir.

Mr. HULBERT. Suppose you present those figures to the committee. Give us, first of all, the average congestion in the city.

The CHAIRMAN. Before you do that, I want to ask you a question. How rapidly is the automobile being used—increasing in use on those streets?

Mr. MYERS. It increased within the last year 39,000.

The CHAIRMAN. Well, now, do you expect that to be the limit or will there be more?

Mr. MYERS. Not when Ford is making them for \$340 apiece. I can't see any limit.

The CHAIRMAN. If they continue at that rate of increase for a year or two, you won't be able to move on that street at all, will you?

HELP PROTECT YOURSELF.

Here are some specific rules to help you save your life and property: You who walk: (1) Don't run across streets through heavy traffic. The busiest man I know wastes at least 30 minutes a day. Why risk your life to save 5 seconds crossing the street? (2) Over 22,000 persons were injured last year and 650 killed by street accidents. That means 1 person killed every 14 hours and 1 injured every 23 minutes. (3) Cross streets at crossings only. Watch for the policeman's signals. He is always willing to help you. (4) Never attempt to cross a street with a bundle or umbrella over your head or reading a newspaper. Either hides oncoming vehicles from your view. (5) Never jump off a moving car. Wait for it to stop, and then look out for traffic. (6) Stand still if you get caught in a traffic jam. It may save your life. (7) Children suffer the heaviest toll of death because they are the most reckless.

Here are some of the ways in which children, the heaviest sufferers, are killed or hurt: Hitching on backs of wagons or street cars, roller skating in the roadway, sliding on push mobiles in the roadway, daring each other to run across the street in front of approaching vehicles, engaging in street fights, building bonfires, playing on fire escapes and unprotected roofs, riding bicycles in heavy-traffic streets. Advise your children not to do these things.

You who drive: (1) Help people to help themselves. (2) Don't imagine you are within your rights if you go at the maximum speed allowed by law. You must not endanger the safety of others. (3) Your responsibility does not end with the honking of the horn when others are in your path. (4) Your automobile may be under control, but how about the other fellow's? He may be a crazy man. You don't know. (5) Be sure your brakes are right and your steering gear is true before leaving the garage. (6) Learn the hand rules, and always signal before making a turn or coming to a halt.

Here are some precautions against—

Burglars: (1) When you leave your house don't advertise the fact by pulling down the shades or by leaving a note in the letter box saying that you will be back at such and such a time. Sneak thieves profit by such advice. It is an invitation for them to enter. (2) Be careful not to admit strangers to your house or apartment. Make those who claim to be agents or delivery boys show their credentials. If in doubt, always telephone your caller's employer before admitting him. (3) When you go on vacation or close your house or apartment for any considerable time, be sure your windows and doors are fastened. Don't rely on ordinary locks. Nail the windows if necessary, and particularly dumb-waiter and fire-escape windows. Heavy bolt locks, independent of ordinary spring locks, are the most secure for doors. (4) When going away for the summer report the fact to the nearest station house, so that the patrolman may watch your property more closely. (5) When your front doorbell rings and you press the button and no one comes to your apartment notify the janitor immediately. You may have admitted a thief.

Pickpockets: (1) Be careful when you get into a crowd. Keep your coat buttoned up and an eye on your pockets. (2) Don't be too eager to pull out your watch and give the time of day to everybody who asks you for it. That's a good opportunity for somebody to grab it and run. (3) Never fall asleep in a subway, elevated, or surface car. This gives pickpockets a good chance to steal your valuables. (4) Don't show your money in public places. It is an invitation to criminals to follow, assault, and rob you. (5) Don't, when shopping, lay your hand bag on counters while looking at goods. This is the opportunity thieves are always waiting for. (6) Don't carry your hand bag suspended by a strap from your wrist. Hold it tightly in your hand. This prevents thieves from opening the bag or pocketbook and extracting your money or valuables from it.

Disease: (1) Respect your neighbor as much as yourself. Don't beat your rugs or stir up ashes so that your dirt will be blown into his apartment to fall on his food or be breathed by him. (2) Don't throw your garbage or ashes at the cans provided, and don't fill them to overflowing. Don't leave them uncovered. If you do any of these things, you are selfishly indifferent to the health and comfort of others. (3) Buy by standard weight or measure, not by basket or prepared package. (4) Don't buy fish, meat, or fruit from dirty dealers who fail to protect their wares from dust, dirt, and flies. (5) Report to the health department any insanitary conditions. (6) The policeman is your friend; get his advice. (7) If you are well, keep well by helping others. (8) Don't spit on the sidewalks and public floors, to the disgust and danger of other persons.

Miscellaneous: (1) Have you a good, clear description of your personal property? Could you, if requested, quickly supply a description of each member of your family? Such descriptions are essential if anything serious should happen in your house. Write them in a book. (2) If

you lose your watch you should be able instantly to give the police its case and movement number and a good description of the timepiece. (3) Keep your eyes open. Learn to observe. It costs nothing and it is a habit that once formed will always help you. (4) When you see a crime committed, or observe a suspicious person or condition, notify the police at once. The more you cooperate with the police the more the police can accomplish for you. (5) Don't put flower boxes or other loose objects on your window ledges unless properly secured. Many persons are seriously injured every day by such articles. (6) Don't place anything on the fire escape which would obstruct it in case of fire. To do so is nothing short of criminal. (7) Regard the policeman as your best friend. You are paying him to keep your street safe and orderly. He is entitled to your help.

Take this home and hang it up.

ARTHUR WOODS,
Police Commissioner.

Mr. MYERS. Mr. Chairman, that is true. If they continue at that rate, it will not be a matter of traffic regulation; it will not be stopping and starting traffic; it will be a procession, a parade, and it is almost to that point now.

The CHAIRMAN. The most dangerous thing of all, the thing that imperils New York, is the Government trucks?

Mr. MYERS. No, sir; I am not biased. It doesn't make any difference to me, except that I should say that the Government trucks, in my opinion—1 truck amount to putting 10 commercial trucks on the street, because the commercial trucks will keep to the right-hand curb and are governed by the signal of the traffic man, and they are ready to obey, because they know they will be yanked if they don't.

Mr. COX. What average speed does the auto traffic in the congested districts maintain?

Mr. MYERS. You mean the ordinary traffic?

Mr. COX. The average speed. Now, take one of your congested districts that you have been talking about, how long will it take an automobile traveling with the procession, along with the congestion, say, to travel 5 miles?

Mr. MYERS. I would say that it would be about 8 miles per hour.

Mr. COX. That would be the average rate of speed of the auto trucks in your congested districts per hour?

Mr. MYERS. Well, they keep up; the auto trucks keep up, as a rule.

Mr. COX. The average rate of speed is about the same between the automobile and the auto truck in the congested districts?

Mr. MYERS. Yes, sir.

Mr. COX. About 8 miles per hour?

Mr. MYERS. Yes; about 8 miles an hour, counting stopping and starting.

Mr. RANDALL. Now, you say that a Government mail wagon or a Government automobile is ten times as dangerous as a private automobile; it will average that?

Mr. MYERS. Now, I don't think I said it in just so many words.

Mr. RANDALL. You said the addition of 1 Government wagon would amount to 10, as compared with 1 commercial wagon.

Mr. MYERS. I mean the general regulation of traffic, because other drivers have to pull up and turn out and give way, and all that, and it amounts to placing 10 trucks on the street, in my opinion.

Mr. RANDALL. Do the drivers of Government mail machines claim authority or any permission or instruction from the department to violate local regulations?

Mr. MYERS. I don't know what they claim.

Mr. HULBERT. What is the ordinance on that point?

Mr. MYERS. The ordinance is that they are supposed, in so far as speed is concerned, it specifically states—of course that takes in the Government trucks, the speed ordinance.

Mr. RANDALL (interposing). Do you not know, as a matter of fact, that the instructions from the Post Office Department to drivers of Government-owned mail machines are that they will obey the local regulations absolutely, and that the violation of local regulations will be considered cause for removal?

Mr. HULBERT. I would like to state that there are no Government-owned machines in New York City. The machines are owned by contractors who do the work under contract for the Government.

Mr. RANDALL. Then you can not hold the Government responsible for the contractor.

Mr. HULBERT. That is the difficulty; we can't hold anybody responsible.

Mr. MADDEN. The point that makes them dangerous is the fact that they are obliged to make a train within a given period of time?

Mr. MYERS. Yes, sir; and if they are held up—which they must be by the conditions of traffic—I mean the enormous amount of traffic that is on the streets of the city of New York at the present time—if they are held up, which they are bound to be at places, then when they get through they are going to make time to meet the train or get to their destination.

Now, it seems to me, that if we could have more underground channels, instead of less, and get the vehicles off the streets it would be a great thing.

Mr. COX. How many square miles of congested district in New York City do you have?

Mr. MYERS. Well, I will say in Manhattan it is about all congested.

Mr. COX. How many square miles does that amount to?

Mr. MYERS. Nineteen square miles.

Mr. COX. Have you any figures or data showing how many people visit Manhattan every day?

Mr. MYERS. The borough president said that there were 1,000,000 visitors in addition to the two and a half million already there.

Mr. COX. That makes three and a half millions per day.

Mr. MYERS. Yes, sir. May I add in connection with that, that a tabulation the department has made here last November—it is greatly increased over that—November a year ago, 1916—on 464 crossings—

Mr. COX (interposing). In Manhattan?

Mr. MYERS. On Manhattan—show that on those crossings, to and fro, 15,000,000 crossed.

Mr. HULBERT. Every day?

Mr. MYERS. No; within 10 hours; 15,345 pedestrians.

Mr. HULBERT. How many vehicles?

Mr. MYERS. Something like 3,000,000 vehicles.

Mr. HULBERT. Right at that point, Inspector—

Mr. MYERS (interposing). That means back and forth. That is, on 464 crossings.

Mr. HULBERT. Right at that point, will you tell the committee how the total vehicular traffic of the Boroughs of Richmond, Brooklyn, Queens, and The Bronx, taken collectively, compares with the vehicular traffic of the Borough of Manhattan alone?

Mr. MADDEN. That is every 10 hours, you mean?

Mr. MYERS. Well, I will give you the 10 hours for—in the Borough of Brooklyn 236,262 vehicles cross the street intersections. You understand I mean that is not all the street intersections in the Borough of Brooklyn, but only a tabulation.

Mr. HULBERT. That is at the point of congestion?

Mr. MYERS. Yes, sir.

Mr. HULBERT. For a period of 10 hours?

Mr. MYERS. Yes, sir; and 36,843 pedestrians.

Mr. STEENERS. Is that the total at all crossings?

Mr. MYERS. No; at the congested intersections.

Mr. STEENERS. At each crossing?

Mr. MYERS. No; at all the crossings in Brooklyn.

Mr. COX. How many traffic men do you have?

Mr. MYERS. Six hundred and fifty; but in addition to that it has gotten to such a state in the city of New York that every man is more or less a traffic man. Our police commissioner insists that they pay special attention to the traffic on account of this enormous amount of loss of human life.

Mr. STEENERS. Have you a minimum rate of speed for automobiles and trucks there as well as a maximum?

Mr. MYERS. No, sir.

Mr. STEENERS. Have you considered any other remedy for this congestion except the lessening of the number of trucks? Have you considered the question of excluding private and pleasure automobiles entirely from your streets?

Mr. MYERS. No, sir.

Mr. STEENERS. Wouldn't that be a remedy?

Mr. MYERS. Well, of course, any vehicle that you would exclude from the streets would be a remedy.

Mr. STEENERS. And why haven't you considered the question of placing the sidewalks on the second story, the same as they have over in Chester, England, where the people walk on the second story and leave the street to the vehicles?

Mr. MYERS. I wish we had some second-story sidewalks, underground sidewalks, or underground channels whereby we could get out of this maze of traffic.

Mr. MADDEN. Those second-story sidewalks in Chester, England, were built 3,000 years ago.

Mr. HULBERT. We used to have bridges across Broadway in New York 60 years ago.

Mr. MADDEN. There were only about 2,500 people living in Chester, England, then, too.

Mr. STEENERS. I only asked if they considered placing sidewalks on the second story.

Mr. HULBERT. I think, gentlemen of the committee, if you would permit the inspector to give you at random a few of the statistics in regard to the congestion at points in different sections of the city, perhaps we would get a better perspective.

I would suggest that he take up Manhattan first.

The CHAIRMAN. Before you do that I want to ask you—is it your opinion that it would be advisable to take all of the mail service off of the streets and put it underground in New York?

Mr. MYERS. Absolutely.

Mr. MADDEN. Of course, you are not an expert mail man?

Mr. MYERS. I don't know anything about the tube at all.

The CHAIRMAN. Now, if that were done, if those 180 vehicles were taken off, would that add materially to your progress on the streets there, considering the large number of automobiles?

Mr. MYERS. Mr. Chairman, yes, sir. I will say that 95 per cent of the complaints that I get personally are about the mail trucks. "Why do you permit mail trucks—I was nearly run down at such a corner last night by one of those juggernauts; why do you permit those things?" Those are the kind of complaints that we have to investigate.

New York is dead against the mail truck on top of the ground. I am dead against anything that is going to jeopardize human life. I am not here in the interest of the pneumatic tube; I do not know anything about pneumatic tubes; but I am here in the interest of street traffic and safety. This comes from the heart when I tell you that.

The CHAIRMAN. You think the great danger, then, that is pending now and that you want to avoid is the addition of about 13 per cent of the present traffic in mail to your streets? That is about what it will be.

Mr. MYERS. I didn't know until you made the statement that that is true.

The CHAIRMAN. You are carrying everything now, except about that much, on top of the ground.

Mr. MYERS. There is too much now.

The CHAIRMAN. Well, that carried by the tubes underground is a very small percentage of the mail, and the other can not be carried underground by the tubes at all; and your contention is that you are much imperiled if we add 13 per cent to the amount of mail we are now carrying over the streets?

Mr. MYERS. If you only add one hundredth part of 1 per cent, you add something, and if that one mail truck—

The CHAIRMAN (interposing). Why is it that your contention is against this Government service, when you are permitting daily and hourly increase of automobiles by the hundred, that greatly more add to the danger?

Mr. MYERS. Mr. Chairman, we have never been given an opportunity to appear, to curtail the number of trucks that are on the streets of the city of New York now.

The CHAIRMAN. Now, isn't this the point about the whole matter, that New York feels that it would be—that it would have a better service for its letter mail than is now had?

Mr. MYERS. That does not enter into it.

The CHAIRMAN. That is about all there is to it, and that seems to me—it does not appeal to my judgment at all—that there is any disadvantage to New York's traffic in adding 13 per cent to the surface traffic. It is the question of your having the tube service, rather than any contention in reference to that traffic proposition, because it is so infinitesimal that I can not see myself that it would make any great difference, particularly when you are adding to the automobiles by the hundreds and making no effort whatever to stop that.

Mr. MYERS. Mr. Chairman, they have made efforts to limit them. We have made efforts to limit the size, weight, and character of motor trucks. We have made efforts to reduce the speed of the motor trucks.

The CHAIRMAN. You gentlemen understand that the recommendation of the department goes to the extent of interfering with this particular part of your city's transportation by tube?

Mr. HULBERT. Of course.

The CHAIRMAN. What is the recommendation, as you understand it, with reference to this particular section?

Mr. HULBERT. Are you referring now to the section below Forty-second Street or above Forty-second Street?

The CHAIRMAN. The section where he says this street congestion is. Mr. HULBERT. He is talking generally now with regard to the congestion of the whole Borough of Manhattan.

The CHAIRMAN. Then, hadn't you better get down to just what you want to suggest?

Mr. HULBERT. I was just trying to do that on two occasions, but the chairman interrupted me and stated before I did that he would like to ask some further questions, so I have not pressed the matter.

The CHAIRMAN. Then go ahead.

Mr. HULBERT. Now, will you give us the figures, selecting any points in the Borough of Manhattan above and below Forty-second Street, merely for the purpose of comparison?

Mr. MYERS. Yes, sir.

Mr. MADDEN. Don't you think, Mr. Hulbert, that, having stated that there are 15,000,000 pedestrians pass over 400 crossings in the Borough of Manhattan a day, and 3,000,000 vehicles, that that is the statement of the case?

Mr. HULBERT. Well, it might be interesting to the committee to know that we can pick out specific instances below Forty-second Street where more people pass in 10 hours than there are in the State of Nevada.

Mr. MADDEN. Yes; we know that. I think the statement he has made ought to cover the case, and I think we know that fact anyway.

Mr. MYERS. Now, gentlemen, the only thing I want to say further is this, that if, by my coming down here it would mean keeping five more motor trucks off the streets of the city of New York, that it would be worth the trip.

Mr. HULBERT. Well, Inspector, won't you give us a few of those figures? I just want to show the spread of congestion?

Mr. MYERS. Well, gentlemen—

Mr. RANDALL. Why not have him compare the traffic congestion above and below, instead of comparing it to the State of Nevada?

Mr. HULBERT. That was only a gratuitous suggestion on my part. He isn't comparing it to the State of Nevada.

Mr. MADDEN. There is just as much congestion above Forty-second Street as there is below, is there not?

Mr. MYERS. In a great many places there is just as much congestion above Forty-second Street as there is below.

The CHAIRMAN. There are more vehicles pass around Fifty-ninth Street and Broadway and Columbus Circle than any other place in New York. There are 39,000 vehicles and 91,000 pedestrians pass around Columbus Circle.

Mr. HULBERT. Now, will you give us a few of the figures uptown?

Mr. MYERS. Take it uptown in New York, at Central Park and West Ninety-sixth Street, 8,310 vehicles and 127,000 pedestrians at one crossing.

Mr. MADDEN. In a day?

Mr. MYERS. Yes, sir.

Mr. HULBERT. Central Park west is a thoroughfare upon which there are trolley tracks.

Mr. MYERS. Trolley tracks on one side of the roadway, and vehicles must pass up and down on the westerly side of those tracks. It is very dangerous. There isn't a year that two or three people are not killed on that street.

Mr. HULBERT. That is all in 10 hours?

Mr. MYERS. Yes, sir.

Mr. RANDALL. Are there any mail wagons that travel across that crossing?

Mr. MYERS. Well, I see mail wagons traveling all over. I see them in my dreams. [Laughter.] That is how much it amounts to in the city of New York. I don't care whether the Government operates them or private individuals.

Mr. MADDEN. You are simply talking about the traffic, aren't you?

Mr. MYERS. Yes, sir. Now we will take way over on the East Side, at Third Avenue—that is over in The Bronx. We will take some figures in The Bronx, Third Avenue and One hundred and twenty-fifth Street, 11,000 vehicles and 25,000 pedestrians. That is well uptown. I am comparing these to show that below Forty-second Street is not the only congestion in the city of New York.

Mr. STEENERS. You are talking about The Bronx, now?

Mr. HULBERT. He is talking about Manhattan. He started to give some figures and then he said they were in The Bronx, and he wouldn't give those.

Mr. MYERS. One hundred and sixteenth Street and Lenox Avenue, 7,000 vehicles and 22,000 pedestrians. That is in the Harlem section. One hundred and sixteenth Street and St. Nicholas Avenue, 11,000 vehicles and 21,000 pedestrians.

Mr. MADDEN. How far is that from the Battery? How far north?

Mr. HULBERT. Here is the Battery here [showing on map], Mr. MADDEN. The point he is talking about is at the upper end of Central Park west, I should say about 7½ or 6 miles.

Mr. MADDEN. The congestion is all the way from the Battery to a point 7½ miles north?

Mr. HULBERT. And beyond that. There is great congestion at One hundred and twenty-fifth Street, the point he has just stated.

Mr. MYERS. One hundred and thirty-fifth Street and Lenox Avenue, 8,000 vehicles, 28,900 pedestrians in 10 hours. Now, these figures show down at Broadway and Fulton Street, 10,300 vehicles and 223,000 pedestrians, a parade, a continuous parade all day. You see the vehicles are lower there, 10,300.

Mr. HULBERT. What is the congestion, for instance, at Fifty-ninth Street and Second Avenue, and Fifty-seventh Street and Fifth Avenue, if you happen to run across that at the same time?

Mr. MYERS. Gentlemen, there are such miles of figures here that it takes quite a little time to find them.

The CHAIRMAN. Suppose you just put them in the record.

Mr. HULBERT. Can we put them into the record, Mr. Chairman?

The CHAIRMAN. Yes. Now, I want to get down to this question a little closer than we are. I think it is a little confusing. It is to me at least. Now, here is a summary of recommendations of the commission in which they say:

"That an advertisement be issued for proposals to perform mail service by pneumatic tubes in the city of New York, N. Y., in the territory south of the Grand Central and Times Square Stations, between all points which pneumatic-tube service is now in operation, and between the general post office of Brooklyn, from March 5, 1917, to June 30, 1926, subject to cancellation by the Postmaster General on six months' notice."

Now, the department concedes that you ought to have the tubes in all that territory, and it seems only that the question of six months' cancellation could be involved there. Now, second:

"That a separate advertisement be issued for proposals to perform mail service by pneumatic tubes in the city of New York, N. Y., in the territory north of the Grand Central and Times Square Stations, between all points between which pneumatic-tube service is now in operation, from March 5, 1917, to June 30, 1926, subject to cancellation by the Postmaster General on six months' notice."

There the six months' notice, it seems to me, is all that is in question. Third:

"That the proposals in response to the advertisements for mail service by pneumatic tube in the city of New York, N. Y., in the territory north of Grand Central and Times Square Stations be not considered for acceptance unless there be a material reduction from the present rate of payment."

It seems to me that is the only question involved there.

Mr. HULBERT. But our contention is that this whole system must be considered as a unit, and our contention is that if it is divided up into two units that it will result in a continuation of the service below Forty-second Street, but that it may not result in a continuation of the service above Forty-second Street; and we are attempting to show you that by the development of commerce in our city, the general trend of the business to move up town, that the necessity of protecting the future New York, as well as to take care of the present, requires that this entire matter should be regarded as a unit.

The CHAIRMAN. There isn't any reason, it seems to me, why there should be any less. Of course, considered as a unit—but why mistrust that part? The unit is conceded to you.

Mr. HULBERT. For the simple reason that unless this matter is treated as a unit, unless, for instance, it recognizes the principle that there is just as much reason for paying the same price above Forty-second Street as there is below; that if the opinion expressed by the Postmaster General is adhered to, we are likely not to be able to get service above Forty-second Street, and the service below Forty-second Street would be very substantially crippled if we did not have the service above Forty-second Street. However, all that matter, if the chairman please, is something that will be brought out by the next witness, whom I assume Mr. Bennet will call, Postmaster Morgan. I believe he is here. I merely wanted to lay down the foundation for what I understand Mr. Bennet is going to assume from the testimony of Postmaster Morgan, by first putting on the expert of the city to show general conditions of congestion, and with a few more questions, if the chairman will permit me, we will conclude with this witness.

The CHAIRMAN. Well, I was trying to make my position plain that I do not see any use of investigating a part of the city that is conceded under all circumstances.

Mr. HULBERT. We are talking now in regard to general conditions, but we expect to give you a comparison of conditions above Forty-second Street and below Forty-second Street, to show that there is the same necessity for continuing the unit above Forty-second Street as there is below Forty-second Street. Now, the chairman states there isn't any dispute with regard to conditions below Forty-second Street, and our contention is that the conditions above Forty-second Street are so similar in character to those below that there ought not to be any division of opinion with regard to the necessity of a continuation of the service above Forty-second Street. Now, if we were agreed in that, then what would be the necessity of dividing the unit at all? Why not consider the service a whole unit, as it has been considered in the past?

The CHAIRMAN. It is just reaching the minds of the committee, as to the conditions in that part of the city where there is contention.

Mr. HULBERT. That is what we are doing.

Mr. STEENERSON. For one, Mr. Chairman, I believe I would have them represent their case as we have it planned.

The CHAIRMAN. I have no objection to their presenting it that way, and I was only giving my own view about the matter. You can take any course you want to.

Mr. HULBERT. I understand the chairman has ruled that we may put figures in evidence without taking up the time to offer specific references.

The CHAIRMAN. Yes.

Mr. HULBERT. Now, Mr. Inspector, will you tell us what is the effect of snowstorms upon the movement of traffic, and particularly with respect to the larger-sized trucks in the city of New York in the winter-time?

Mr. MYERS. Well, it amounts to a great deal. We find the trucks which go on the street in the wintertime, on account of the new north and south channels in the city—they have put on above half a load, maybe less than half the time, on account of the few streets, the main channels of travel that are cleaned by the street-cleaning department at a time, and, as I say, the principal travel in the Borough of Manhattan in New York being north and south—the island being but about 2 miles wide, and there being few outlets for traffic, it amounts to a great deal.

Mr. HULBERT. And that delays the mail?

Mr. MYERS. That delays the mail.

Mr. HULBERT. The snow in New York City is removed by the city authorities, is it not?

Mr. MYERS. Yes, sir.

Mr. HULBERT. And, of course, they do not remove it from all the avenues and all the streets at one time?

Mr. MYERS. No, sir.

Mr. HULBERT. And the propensity of the vehicles, or the drivers of the vehicles, is to use the streets from which the snow has been removed?

Mr. MYERS. Yes, sir.

Mr. HULBERT. And that results in a great congestion, does it not?

Mr. MYERS. Yes, sir.

Mr. HULBERT. And has a tendency to retard expeditious delivery of mail, where the mail is being taken to the trains or brought from the trains, if they are automobiles or horse-drawn vehicles?

Mr. MYERS. Yes, sir.

Mr. HULBERT. Now, to what extent are the conditions produced by snow aggravated in the wintertime?

Mr. MADDEN. You mean how much more dense does it make the traffic?

Mr. HULBERT. Yes; and how much does it retard the movement of traffic?

Mr. MADDEN. Of course, the density would have a tendency to retard traffic.

Mr. MYERS. Well, I would answer that question roughly by saying—

Mr. MADDEN (interposing). What number of streets out of the whole number are likely to be used as traffic streets when you have a heavy snowfall? That is the story we want to get at.

Mr. MYERS. Well, there are only one or two channels, north and south channels, of traffic that can be used at all, and, of course, the traffic becomes congested.

Mr. MADDEN. For example, if you had 10 streets you would be able to use only 2 or 3 in case of a snowstorm?

Mr. MYERS. We have about nine north and south channels. Of course, some of them are set off by Central Park, but six of these channels are passable now. The other three, on account of subway construction, etc.—which, of course, eventually will be open—are almost impassable. That will reduce it down to one or two channels in the winter with snowstorms.

Mr. HULBERT. What were the conditions as to snow obstruction during March, 1916, and what was the effect upon the movement of the vehicular traffic?

Mr. MYERS. Well, I should say that it reduced it to less than one-half.

Mr. HULBERT. How long did those conditions of obstruction continue in March, 1916?

Mr. MYERS. I can't state definitely, but it seems to me that during that winter there were about 60 days out of the winter—something like that—that affected traffic in that manner.

Mr. HULBERT. To what extent is the usual speed of the automobiles decreased when the streets are obstructed by snow, as was the case in March of last year?

Mr. MYERS. I didn't just get that question.

Mr. HULBERT. Well, 50 per cent. How does the congestion of the streets in New York City in July and August compare with that existing in other parts of the year? Is it more or less?

Mr. MYERS. It falls off about 50 per cent in July and August.

Mr. HULBERT. So that if test were made in July and August of any year with respect to traffic conditions you would not get the same result from that test as you would if the test were made in the fall or the early spring?

Mr. MYERS. We could hardly make a comparison.

Now, if I may say just one word—as you understand, I am not here in the interest of the tube or the automobile or anyone else. I am sent here by the police commissioner in the interest of the facilitation of street traffic and the safety of the people who use the streets.

Now, may I add this: I know a little something more than street traffic. I was born and raised in the West, and I can put hinges on a barn door made out of a boot leg nailed on with the back of an ax. [Laughter.] I know more than street traffic, and I have seen traffic in most every large city in this country, from here to California, and when I say that traffic conditions, traffic congestion in the city of New York now is about to the limit, I know what I am talking about.

You remember last year—I just want to use this same little illustration—last year we had a little epidemic in New York known as infantile paralysis. Millions of dollars were spent; the brains of the best medical men in the country were wrecked trying to find the germ. It wasn't a question of money; it was a question of isolating the germ, in order that something could be done. Here we come along and we show you the germ. We show you the truck, what it is doing; it is killing our children in the city of New York, mowing them down. One hundred and five children between the ages of 3 and 6 years were mowed down, crushed out in the city of New York, until it has gotten to such an extent that we have started a campaign—may I offer this circular to show you what it has got to [handing circular to chairman]. If any member of this committee could take my job for one month or one week, I think he would be convinced that to add even one motor truck to the streets of the city of New York would be a detriment.

Mr. HULBERT. May that go in the record, Mr. Chairman?

The CHAIRMAN. To add any other automobiles would be a detriment, too?

Mr. MYERS. Yes, sir.

Mr. STEENERSON. Did you mean 105 killed in a day?

Mr. MYERS. No; I meant 105 by motor trucks; 1 person killed every 14 hours; 1 person injured every 23 minutes during the year 1915.

The CHAIRMAN. How many were killed by automobiles?

Mr. MYERS. By automobiles—I will just give you the total: Six hundred and fifty-nine killed by vehicles. That includes all vehicles, horse-drawn, automobiles, and motor trucks.

Mr. STEENERSON. And there were 105 killed in one year—105 children?

Mr. MYERS. I have the figures right here.

The CHAIRMAN. You have a statement as to how many were killed by Government autotricks?

Mr. MYERS. Two hundred and eighty-one children were killed by vehicles.

Mr. STEENERSON. In one year?

Mr. MYERS. One hundred and five were killed by motor trucks in one year. One person is killed every 14 hours, and one person injured or maimed every 23 minutes.

Mr. HULBERT. Just one question, if you have concluded. It is your opinion that if any action is taken by the Government which will put more trucks on the street, that some action will have to be taken by the city of New York to put vehicular traffic under ground?

Mr. MYERS. Well, I would not say under ground, but something will have to be done more than has been done, because the traffic regulations—we are out to the last ounce in the matter of traffic regulations.

Mr. AYRES. Mr. Inspector, do your statistics show how many persons the mail trucks killed or injured?

Mr. MYERS. No, sir; I told you that before. I had just a few hours to gather together this data, and I just got the motor trucks.

Mr. AYRES. You do not have it segregated?

Mr. MYERS. No, sir.

Mr. HULBERT. Mr. Chairman, may I submit for the record the copy of a letter which I wrote the police commissioner on December 11, the contents of which the committee will of course appreciate?

The CHAIRMAN. It may go into the record.

Mr. HULBERT. It was only a short time that the commissioner had to get together that data.

(The letter referred to follows:.)

DECEMBER 11, 1916.

Hon. ARTHUR H. WOODS,
Police Commissioner, City of New York.

MY DEAR COMMISSIONER: For use on the hearing next Thursday morning (Dec. 14) before the House Committee on the Post Office and Post Roads, which proposes to curtail the pneumatic-tube postal service

in New York, I would like very much to have any of the following information which you may be able to supply:

(1) Statistics regarding the congestion of traffic in the various sections of the city, and particularly the principal thoroughfares connecting the business and residential sections of the city.

(2) Statistics showing the number of pedestrians crossing at the principal street intersections on mail routes.

(3) Number of accidents caused by automobiles and horse-drawn vehicles, and particularly those used in the mail service.

You will appreciate, of course, that I wish this information for the purpose of opposing, on behalf of the commercial interests of New York City, any effort to discontinue or curtail the pneumatic postal tube service in the greater city, and hope that you will be able to send it in Wednesday night's mail.

Thanking you in advance for this information, I am,
Very truly, yours,

MURRAY HULBERT.

STATEMENT OF MR. W. F. DEBERARD, REPRESENTING THE MERCHANTS' ASSOCIATION OF NEW YORK, AND OTHER NEW YORK ASSOCIATIONS.

Mr. DEBERARD. I wish first to offer some general observations upon the character of the evidence that has been laid before you in the form of a report made to the Postmaster General by a special committee of post-office employees. The essential conclusion contained in that report is the result of a comparison of the expedition and movement of mail by automobile, as compared with its movement by pneumatic tubes. The tests that were made appear to be unfavorable to the expedition of the pneumatic-tube service in all the cities except New York, where no comparison was made.

I find it necessary to criticize the methods by which the conclusions of the committee of post-office employees is made, in that it is incomplete, and to criticize those conclusions as insufficient and causing misleading conclusions.

The CHAIRMAN. Are you speaking of New York?

Mr. DEBERARD. I am speaking in general on the report of the committee of post-office employees upon which the recommendations of the Postmaster General are based.

The CHAIRMAN. Is it your purpose to have your argument confined to New York, or are you taking up the whole pneumatic-tube proposition, outside as well as in New York?

Mr. DEBERARD. I do not understand your question, sir.

Mr. MADDEN. He did not understand you, Mr. Chairman.

The CHAIRMAN. I say, is it your purpose to confine your argument to New York, or are you taking up the whole pneumatic-tube proposition in the country in general, outside of New York as well as in New York?

Mr. BENNET. We do not seek to limit it. Our purpose is to present the case for the New York tube system, and this only.

Mr. STEENERSON. It seems to me it would be relevant.

The CHAIRMAN. I am not saying it would not be relevant. I just wanted to find out what he desired to talk about.

Mr. DEBERARD. The conclusions of a certain committee, which I have mentioned, namely, a committee of post-office employees, who reported to the Postmaster General, which conclusions, I believe, are before this committee in the form of recommendations from the Postmaster General, are fallacious and lead to mistaken conclusions on the part of this committee as to the value of the pneumatic-tube service.

Mr. BENNET. Generally?

Mr. DEBERARD. Generally speaking; yes.

The CHAIRMAN. Well, point them out.

Mr. DEBERARD. I shall endeavor to do that, sir.

There is contained in the report of the post-office committee, beginning on page 13, the results of tests that were made by automobile service in comparison with pneumatic-tube service. The results stated as to automobiles are not qualified in any way at all. They are put forward as though they had been reported as a fair comparison, as if reflecting service conditions under which autos would necessarily be operated in carrying the mails. Such service conditions involve a consideration of 365 days in the year, while these tests were confined, in most cases, to three or four mails, within a period of two or three days, in the case of Boston, and in one case it was a week. The conditions when those tests were made were peculiarly favorable to good results to automobile operation. They were made during the months of July and August, at which time, as has been testified by Inspector Morris, in the case of the city of New York, the congestion of street traffic decreases by about one-half. The same conditions obtained as to all other cities reported. The summer season—

Mr. MADDEN. You mean to say that the reports submitted are of tests that did not take into consideration the conditions of congestion of traffic?

Mr. DEBERARD. That is it. The congestion in nearly all the cities is due very largely to the growth of the use of the automobile as a pleasure vehicle. The very large proportion of them are owned by wealthy people, and during the months of July and August people of that class are customarily absent from the city and take their autos with them, thus removing them from the streets. I make that statement on the authority of the traffic branch of the police department of the city of New York, and I believe it is practically true in all large cities that the large proportion of automobile traffic disappears from the streets during those months, thereby greatly reducing the congestion. Moreover, during the months of July and August traffic in package commodities, those that are handled by manufacturers in the city, by jobbers, wholesale distributors, and others, is reduced considerably.

There is only one other month in the year where the amount of business traffic is less. The decrease in the movement or congestion of traffic in the city of New York during the months of July and August is customarily from 40 to 50 per cent less than in the month of January, for example.

Mr. MADDEN. Does it decrease that much?

Mr. DEBERARD. The decrease is about one-half; yes.

Mr. BENNET. You mean that the volume of traffic decreases that much?

Mr. DEBERARD. Yes; the volume of traffic, thereby reducing congestion, which is the greatest obstacle to getting through the streets with auto mail wagons. The movement of vehicles through the streets of New York City is so reduced during the summer months that vacations and leaves of absence of members of the traffic squad are concentrated in these months because of that reduction of traffic.

This report makes little or no mention of the very formidable impediment to automobiles in the streets in the winter season. Mr. Morgan has given a very clear indication of the effects of snowstorms, interfering with the regular and speedy movement of the mails. Dur-

ing the past year there were five or six snowstorms during the month of March. There was a snowfall of 28 inches in the aggregate. It was impossible for the street-cleaning department to come anywhere near its regular schedule in removing the snow, despite the fact that they had between 13,000 and 14,000 men employed. These men were employed three weeks, and during those three weeks the business men of the city found it impossible to send their business over their local routes at more than half their customary speed, and, likewise, it was almost impossible to fully load the wagons; so that very formidable obstacle to local traffic existed during the entire month of March. For a period of three weeks it was with extreme difficulty that the wholesale houses were able to move off the several main streets that had been cleaned by the department. The result was that all the cross streets and outlying streets were deserted by traffic except that immediately located upon them.

The traffic was concentrated into a relatively few general routes. It took two or three times the ordinary time to move from one place to another. The traffic department of the city asserted that on an average it would take twice as long to move between given points than it ordinarily took.

Postmaster Morgan has shown very clearly the effect of these conditions on the movement of the mail and the impracticability of automobiles performing their duty, carrying their maximum load, under these conditions. There is not one word in this report to indicate that these tests paid any attention at all to the obstacles to traffic. The comparison as put forward, while there is no statement or omission of essential points, tends to misleading and fallacious conclusions in using it as a comparison between the autos or wagons and the pneumatic tubes as a means of conveying mail—conclusions that are certainly unwarranted by the facts.

The pneumatic tubes are not subject to these conditions. The city of New York was able to carry on its correspondence during the month of March and during parts of December only because of the existence of the pneumatic tube. There were 210 failures on the part of automobile vehicles during that time to make connections with the railroad trains, as Postmaster Morgan has pointed out; and those are the conditions which must be met if it is undertaken to carry the mails by automobiles.

The CHAIRMAN. What do those cities do which have no pneumatic tubes?

Mr. DEBERARD. They struggle along as best they can.

The CHAIRMAN. What does the fourth-class mail do?

Mr. DEBERARD. Practically all of it lies. The delay is very great. There is extreme delay in the movement of second, third, and fourth class mail.

The merchants made some tests about that time in sending papers throughout the country in order to learn the extent of the delay that ensued.

The CHAIRMAN. Those delays were caused, in part, by the movement of trains.

Mr. DEBERARD. Very well; but that is no reason why the tests should not show some delay in New York City. It was only on account of the pneumatic-tube service that the first-class mail was handled as it was.

Mr. STEENERSON. While we are on this subject I should like to call your attention to what appears to me to be an important factor. The tests mentioned by Postmaster Murray, of Boston, seem to have taken place on a Sunday, and, naturally, the traffic would be less than otherwise; but he also stated—or might have stated, if he did not do so—that there was less impediment in the tubes. Mr. Morgan mentioned that the automobiles would have to stop at the various stations, thus making the movement very much slower than the transmission mentioned by Mr. Murray, who transmits direct from one terminal to another.

Mr. DEBERARD. I think Mr. Murray's contract is for a single contract, while this in New York is for a particular route for a term of time. In other words, it seems to me that these tests, instead of making them under the conditions which actually exist in the case of the autos, as in the case of Chicago, for example, so far as I can find out, where the tests were made between the central post office and the stockyards, where there was no stop on the way, should be made under the conditions as they actually exist, where stops have to be made, as in New York City.

The CHAIRMAN. What do you represent—the city of New York?

Mr. DEBERARD. I represent the Merchants' Association of New York.

The CHAIRMAN. Are you employed regularly by this association in New York?

Mr. DEBERARD. Yes, sir.

The CHAIRMAN. Do they pay you a salary?

Mr. DEBERARD. Yes, sir.

The CHAIRMAN. How much?

Mr. DEBERARD. Six thousand dollars a year.

The CHAIRMAN. You appear in all such matters as this, do you not?

Mr. DEBERARD. I appear in a great many of them.

Mr. STEENERSON. The statement of Postmaster Morgan in regard to the speed of automobiles seemed to indicate that they were slower by reason of stoppage at every station, whereas in Boston the conditions in that respect were different. Do you contend that the conditions described by Mr. Morgan were actual service conditions in New York?

Mr. DEBERARD. That is the fact. The schedules in the New York service specify the time, and the speed is approximately 12 miles an hour. To that is added the time allowed for stoppage, loading, and unloading at each of the intermediate stations.

Mr. BENNET. There is no through transportation from one station to another, is there?

Mr. DEBERARD. No; that would necessitate too many automobiles to enable the department to send out all the mails.

Mr. BENNET. And it would not be practicable, would it?

Mr. DEBERARD. No, sir.

Mr. BENNET. That is all.

Mr. MADDEN. You made a statement as to the traffic conditions throughout the conditions—traffic conditions in New York and in other parts of the country. You are familiar with those conditions?

Mr. DEBERARD. Very largely. I will ask Mr. Meade if I am not familiar with those in New York?

Mr. MEADE. That is correct.

Mr. MADDEN. The mere fact that you are paid a salary would not prejudice you in your study of this question, would it?

Mr. DEBERARD. No; not in the slightest. I am not interested in any tube company or any other company.

Mr. MADDEN. Very well.

Mr. BENNET. Having knowledge of the subject, you desire to present it to this committee; is that correct?

Mr. DEBERARD. Certainly.

Mr. STEENBERSON. You want to help us reach a proper conclusion?

Mr. DEBERARD. Yes, sir; that is it. If you will look up the point to which I have directed my criticism, you will note there, on page 15 of the post-office employees' report, the movement of 77 carriers, requiring 42 minutes and 53 seconds. It will be found that the intervals between the dispatch of the separate carriers were 27 seconds, whereas it has been shown by other testimony that under your service conditions the usual interval is 9 or 10 seconds, or with a maximum of 15 seconds. These tests were made on Monday, when it is possible that there was less than the usual number of men available for that work.

The CHAIRMAN. Is that true?

Mr. DEBERARD. I have simply stated it as an explanation of the extraordinary time required or occupied.

Mr. TAGUE. You believe it is far nearer the truth than that it should take a carrier four minutes to travel in a tube, in Boston, less than half a mile, don't you?

Mr. DEBERARD. I am merely stating the facts and conditions.

Mr. TAGUE. In this matter of headway between movements—

Mr. DEBERARD. There have been some conflicting statements made here. Mr. Morgan has already stated what the interval ought to be. Personally I have not made any observations and, consequently, I am not competent to state definitely an opinion. But I do find here that, under the conditions, the time occupied was not normal.

Mr. HULBERT. In connection with the inquiry submitted by Mr. Steenerson, do you take into consideration the fact that the traffic in New York is longitudinal, whereas in Boston the traffic spreads in different directions?

Mr. DEBERARD. That would increase the congestion throughout Manhattan.

Mr. HULBERT. That would have to be considered with respect to the necessity of having an automobile, operating from Station L to Station J, stopping at stations along the line, rather than having a through route.

Mr. TAGUE. Do you believe the congestion is greater in New York than right in the vicinity of the Boston post office?

Mr. DEBERARD. I have not had an opportunity to make any comparison, sir.

I want to call your attention to a practical point in the movement of mail in New York City. It is a rule in our banking institutions in New York and in our business houses that all mail received on a given day shall be cleared up before the close of business. It is highly important that this should be done, especially in the case of banking transactions, in which balances are transferred from one part of the city to another at the close of the day, or before the close of the day. There is a continuous stream of letter mail of a high degree of importance going into all the downtown branch post offices, such as Wall Street Station, the Hudson Terminal, and others, for dispatch that day; and in order that it may reach the correspondents of the banks and business houses early the following morning, or at the earliest possible moment, it is necessary to have a tube system.

One of the most important mail trains is the Transcontinental Express, leaving at half past 9. It carries a very heavy body of mail. The connections are scheduled for all important lines crossing it and for all important junction points. The train is scheduled to reach the Pacific coast in order to make connection with trans-Pacific steamers, so that connection may be made on certain days with steamers to Australia, with which this country has a large and rapidly increasing and important business. Mail destined for that train is conveyed by automobile that leaves Hudson Terminal at 8.40.

The CHAIRMAN. Do you understand that there is any recommendation by the Postal Committee to substitute automobile service for pneumatic-tube service in New York City?

Mr. DEBERARD. I will connect up with that in a moment.

The CHAIRMAN. I wish you would connect up with a few of the questions as you go along.

Mr. DEBERARD. If I may be permitted to continue—

The CHAIRMAN. I would like for you to answer my question.

Mr. DEBERARD. It has an important bearing on the pneumatic-tube service, which should be dealt with as a complete system.

The CHAIRMAN. Suppose we are not proposing to use automobiles in New York. Suppose the committee does not cut the service off.

Mr. DEBERARD. It is made possible to cut it off under the proposal of the Postmaster General and under the clause which provides for six months' cancellation.

The CHAIRMAN. That is possible in every contract.

Mr. MADDEN. I think it would be interesting to the committee to develop the case. We should like to get it in the record in the way the gentleman desires to present it.

The CHAIRMAN. All right. Go ahead.

Mr. DEBERARD. The last auto arrives at 8.40 and arrives at Grand Central Station at 9.06. The pneumatic service continues to dispatch mail arriving at the Hudson Terminal and other branches for 10 minutes after, and during those 10 minutes the volume of late letters that are intended to reach the Transcontinental Express reaches 10,000 or 12,000. This steamship correspondence is the means of conducting business with Asiatic and Australian points. If connection was not made with this train, there would be from 10,000 to 12,000 letters left over.

Mr. MADDEN. If there were no tube service, and you had to rely entirely upon the automobile service, those 10,000 or 12,000 letters would be left over in the post office.

Mr. DEBERARD. With the automobile service alone, that would be so. Mr. MADDEN. Yesterday, when the First Assistant Postmaster General was on the witness stand, he testified that when the mails were closed, the movement by both automobile and tube was closed.

Mr. DEBERARD. My information is based on a statement made to me by Postmaster Morgan, on schedules as given by him to me.

Mr. MADDEN. What difference in time is allotted for the movement of a letter from the post office, according to your information, through the pneumatic tube and the movement by automobile?

Mr. DEBERARD. The movement by pneumatic tube is 10 minutes later than by auto. From Station P and other downtown branches the tube collects from 10,000 to 12,000 additional letters after the mail which goes by automobile is closed at the post office. These letters would otherwise be delayed until the next day, making a delay of from 10 to 12 hours in their delivery, according to the time they arrived at the office. In case they missed connection with the Japanese or Australian steamer, the delay would be from two to three weeks.

Mr. RANDALL. Because they sail only once in two or three weeks?

Mr. DEBERARD. Yes.

Mr. RANDALL. This delay would occur only on a certain day, once in every two or three weeks, then, when a connection would be made with a steamship sailing from the Pacific coast, which, as you say, is once every two or three weeks. Is that true?

Mr. DEBERARD. Yes. The same condition would occur three or four times a week in the case of sailings to Europe. In making connections of this sort the mails from out of town are also put through the pneumatic tubes. It is thus seen that it is not a matter which particularly or peculiarly concerns New York City alone, but it affects all the great cities throughout the country by reason of the European correspondence, which is becoming increasingly more important by reason of the great development of the export trade of this country. In that connection the pneumatic tube is of the utmost value as an auxiliary—more valuable than any other method of conveyance. It is of value to the business community of most inestimable value—because it enables the quick transmission of business communications concerning transactions of very great importance, which are facilitated by the quick transmission of mails.

For instance, a letter may be written by a man in Chicago and sent to New York, may be received in New York in the morning, be answered the same day and, by reason of the quick service afforded by the pneumatic tubes, be replied to and the reply sent out that afternoon, and be received in Chicago the next morning. Or the service would work the other way, as the case may be. It is a great advantage any way you look at it. The same thing applies to correspondence between the cities, and it is necessary that the pneumatic-tube service should be preserved in all the great cities, because, if we have it only in New York, it is only one-half of an instrument which is not fully effective unless it is complete.

Mr. RANDALL. What time does the big bulk of mail move in New York City?

Mr. DEBERARD. It is mailed practically in all important offices just as rapidly as the letters can be answered.

Mr. RANDALL. Is it not a fact that the big bulk is mailed between 3 and 5 o'clock in the afternoon?

Mr. DEBERARD. Undoubtedly.

Mr. RANDALL. Then you think that the mail is all worked out in the post office ready to dispatch at 8.30?

Mr. DEBERARD. At 8.40.

Mr. RANDALL. It is not as a matter of fact worked up until 11 or 12 o'clock at night.

Mr. DEBERARD. I am not fully informed as to the movement of mails at that time, but it is sent out as rapidly as it is possible to sort it. It is sent out as soon as it is sorted and distributed.

Mr. RANDALL. The great bulk of mail goes into the post office between 3 and 5 o'clock in the afternoon. It is impossible to clean it up before 11 or 12 o'clock at night. How are you going to get it out on that 8.40 mail?

Mr. DEBERARD. Mr. Morgan can speak more accurately than I can with respect to the extent that they can handle this mail for the Transcontinental Express. Business men can always inquire, but they can not always get the proper information at the time. Another thing: This is an indispensable instrument for the exchange of mail. New York has a population of about 6,000,000 people. There is a very large interchange of correspondence between the different parts of the city which does not go on the railroad at all. Persons who use the mails—and everybody does—desire that their communications and articles sent through the mails shall reach their respective destinations as quickly as possible. It is possible now that letters originated in one extremity of New York, by means of the pneumatic tube and the dispatch which it permits, to reach their destination on the same day, and sometimes within a very short time on the day of mailing.

If the pneumatic tubes were done away with the time of movement by autos between the outlying points of New York would be very much increased.

Mr. BENNET. Mr. Morgan tells me that every parcel of mail delivered between 3 and 5 o'clock in the afternoon would be worked out by 8 o'clock, and also a great deal of the third-class mail. The parcel post would not be worked out on account of the lack of assistance and lack of room. The first-class mail, however, received between 3 and 5 o'clock in the afternoon would be entirely worked out by 8 o'clock.

Mr. RANDALL. Why does he keep his men there working until 11 or 12 o'clock at night?

Mr. BENNET. Because of the other classes of mail matter.

Mr. DEBERARD. Mr. Morgan presented to you a statement as to the movement of local mail between Station J, One hundred and twenty-fifth Street, and Station P, near the Battery, showing a difference of nearly two hours in time of movement between the pneumatic tube and the auto service. It should be pointed out that the time between the dispatch of wagons or autos from Station J is a very important matter. The most frequent movement is at hourly intervals; the longest movement is at two-hour intervals. A one-hour movement takes care of the early morning mails and the inward late afternoon mails.

Between those times the interval is two hours, so that if a letter be mailed by about 11 o'clock in Harlem and it were necessary to use automobiles as a means of transportation, assuming that it was mailed in Harlem, it would require two hours to reach the Battery, and perhaps it would reach there too late to get out by mail on the same day. It is absolutely true as to mail put in the Harlem office later than 12 o'clock.

As to the mail service in Brooklyn, there is only one extension to the service there, from the general post office to the Long Island Station. That carries a very considerable body of mail, which is of very considerable importance. It catches the Long Island trains and reaches its destination by way of the Long Island Railroad. There are no other facilities for permitting an interchange of local mails in the great Borough of Brooklyn, containing about 2,000,000 people.

So that for large areas of Brooklyn it is impossible for a person to receive a letter upon the same date that it is mailed in Harlem. The result is that very few people use the mail for that interchange of communication. On the contrary, where the pneumatic-tube service has been fully developed for the distribution of local mail there has been a very large increase in the interchange of local letters. The Borough of Queens, north of Brooklyn, contains now between 600,000 and 700,000 people. It has no tube service. It is dependent upon the wagon service. It is a perfect hive of industry, flooded with factories, more coming there all the while, and it is of the highest degree of importance that these factories be able to reach by letter their distributing and selling offices located along the lower part of Manhattan, which is now impracticable. The same conditions prevail as to The Bronx. There are several thousand people in the Borough of The Bronx, to which must be added the residents of the extreme upper part of the island of Manhattan, so we have a facility now existing for the prompt

interchange of local letters so restricted as to be available and to serve about two million and a half people out of a total of 6,000,000. Our contention, therefore, is that every facility that now exists should be preserved beyond any question; that those facilities should be so extended as to promote the use of the tube for the interchange of local letters. That facility is reasonable. It is a reasonable demand on the part of a large part of the population that is now deprived of it.

The CHAIRMAN. Have you had any experience in postal affairs?

Mr. DEBERARD. I have not.

The CHAIRMAN. You spoke a while ago about letting by separate contract a part of this service. Now, if it is a matter of fact that bids could be submitted for this service separately by the Philadelphia Pneumatic Tube Co., and another would be willing to bid for that service \$12,000 per mile instead of \$17,000 per mile, would you regard it as a good proposition on the part of this committee to present such bid?

Mr. DEBERARD. I should not regard any proposition of two public-service corporations performing similar functions that need to be performed as a whole to be put into the same territory in such a manner as to divide the function between them and prevent the proper operation of the function which would result in another.

The CHAIRMAN (interposing). If, then, another tube company were to come in and bid for a part of the service in that city, it would not be good policy to accept a less bid than \$17,000?

Mr. DEBERARD. You misunderstood me. I did not intend to convey any such impression. My understanding was that if the present system of

The CHAIRMAN (interposing). If that can be done and as good service given, it ought to be done.

Mr. DEBERARD. If equally good service can be given to New York at a lesser cost, I can see no reason why it should not be done. But as to the proposition of dividing the territory in the manner indicated, I should have serious objection, for it is impracticable for two companies to interchange business and properly forward it.

The CHAIRMAN. That is a matter of administration. The Post Office Department could work that out.

The CHAIRMAN. Does the gentleman from Tennessee [Mr. Moon] desire to occupy the floor?

Mr. MOON. I yield to the gentleman from Indiana [Mr. Cox] for 10 minutes. Mr. Chairman, how much time have we?

The CHAIRMAN. The gentleman has 21 minutes remaining.

Mr. MOON. Then I yield to the gentleman 10 minutes.

Mr. COX. Mr. Chairman and gentlemen of the committee, of course this amendment is going to be voted into this appropriation bill. I entertain no doubt about it. Judging from the past, I have made up my mind that it is next to an impossibility to defeat any appropriation which tends to take money out of the Treasury, and this is going to carry, notwithstanding the fact that the Postmaster General says there is no use for it and it is not needed and that it is an expensive service for transportation of the mails. I wish the Members would get this clearly in their heads, that it is only first-class mail that goes through the tubes. I wish you would further get it into your heads that it is only a very small per cent of first-class mail that goes through the tubes. I wish you would further get it into your heads that the reason for that is because of the smallness of the tubes, and especially the smallness of the containers which carry the mail. There was a time—and I wish you would get this in your heads—before the day of auto trucks and before the day that the fourth-class parcel-post matter was worked out in its present state, that, in all human probability, those pneumatic tubes served a very valuable service, but the coming of the auto truck and the development of the Parcel Post has absolutely done away with the necessity for all these tubes, in my opinion. However, I am willing to defer to the decision of the Postmaster General so far as affects the city of New York. I wish I could find how many Members of the House have read this report taken before our committee concerning these tubes. Is there any man from the State of Illinois, is there any man from the city of Chicago, who is unwilling to stand upon the testimony of Dan Campbell, who has been postmaster of the city of Chicago for the last 11 years?

When you are sick, why do you send for a physician or an expert? Because you do not know how to treat yourself. Is it not fair, is it not right, that upon these questions we ought to be governed most exclusively by the judgment of postal experts? Mr. Campbell—and I have not time to read his evidence—came before our committee and made his own statement, and offered to read before the committee the statements of 22 of the supervisory officials of the great post office of the city of Chicago, all of them saying, every one of them, without a single exception, that there is no use for the tubes there. Why? He assigns the very reason I assigned you a moment ago. He said: "Gentlemen, they can take care of the mail facilities of the city of Chicago without the purchase of another automobile." They have 206 there now. That they can take care of the mail facilities of the city of Chicago and give them just as good mail facilities as they have got now, aye, gentlemen, better, by the use of the automobiles than by the use of the tubes.

Why, as a result of the tubes in the city of Chicago the great packing houses offered the Post Office Department here to put on their own automobile routes and do away with the tube. That is Mr. Campbell's statement. He wrote that letter to the

Post Office Department here, and the department did not take up his proposition to let them put the automobile service on, but the department itself put it on for them.

Now, the packing houses, that do a billion dollars' worth of business per year in the city of Chicago, come to the Post Office Department and say, "Here is our proposition: There is nothing in the tubes; let us at our own expense put on an automobile service, and we will pay the bill." What do you think of it?

Now, I am quoting here what Dan Campbell says. I am quoting, gentlemen, what 23 of the supervisory officials of the post office of the city of Chicago said to our committee. Dan Campbell says he does not need these tubes; that he will do the service and save \$140,000 a year without the tubes.

Oh, this congestion! There is nothing in it. I think there were said to be 118 cases of delay and accident. Seventy of them were investigated, and the Government was not to blame in the least. In one case a man was drunk, standing up against a telephone pole, and as the Government automobile skidded by he fell over the machine and got hurt. Another man was drunk in a blind alley, and one of the automobiles ran over him one night and he got hurt. That is about the size of it.

What is true, gentlemen, in the city of Chicago is true also of the city of St. Louis, and what is true of the city of St. Louis is true also of the city of Philadelphia, and the same thing is true of the city of Boston.

Now, let us come down to "brass tacks." What is there in this thing? There is but one thing in it. One of my friends here—somebody over on that side—revealed the whole story, and that is, are you going to run your arm into the Treasury of the United States and float a losing proposition? It is conceded that unless this money is appropriated, and unless the Post Office Department goes ahead and uses it, somebody who holds this stock is going to lose. Are you willing to enter upon that era of campaigning? It is too high a price for me to pay. If you are going to take out of the Treasury of the United States one-half million dollars merely to uphold the value of this stock, I will not do it. That is all there is in it. There never was anything else in it.

These tubes were originally constructed away back yonder, I think in 1893, up in the city of Boston, where my friend Mr. TAGUE lives, solely as a commercial enterprise. That is the way it started. It was regarded as a commercial enterprise, and after being tried out as a commercial enterprise it was found to be a dismal failure, and somebody had to be found to buy that old junk, and that person was your poor, old, innocent Uncle Sam. And you are asked here to uphold it and load it on him.

Now, I have not got anything in the world against the transportation of the mails in the cities; nothing on earth. I was glad, though, and rejoiced when I heard somebody over here on this side expose the alliance that has existed on this floor for so many years, the alliance between the city and the country fellows. I have seen the city Members vote to increase the salaries of rural carriers. Oh, yes. I have seen the country Members again line up to increase the salaries of the railway postal clerks and the city letter carriers and the post-office clerks in the first and second class offices. I have seen that alliance going on here for years and years, but never until this morning did I ever see a man who had the nerve to come on the floor of this House and disclose it.

I am not fighting this because I have anything on earth against these tubes that are used in transporting the mails; I am fighting it because, in my judgment and in my opinion, there is a principle behind the proposition to decrease this service, and that principle is well stated in the report of the Postmaster General. That principle is that these tubes are of no use, that they are unnecessary and expensive. I am fighting it upon the ground that the money ought to be saved and economized and used for the purpose of extending mail facilities at other places where it is needed. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. MOON. Mr. Chairman, I feel that too much has already been said upon this subject. The only question here is whether we ought to continue a service that is shown by the proof to be of no value or of but little value to the people of the United States compared with the better and more effective service that can be rendered in the places where we propose to discontinue this service.

Now, New York, except as to a part of it, is an exception to the rule and to the report that is made in this case, and the congestion in the city of New York is such at points that it is deemed advisable at the present time to continue the pneumatic-tube service there. As to the other cities, the committee reported that they ought not to have the service.

Remember this was a committee of experts from the Post Office Department, required by law to investigate and make this report. The report is approved by the Postmaster General. It is approved by the Committee on the Post Office and Post Roads. Of course, it is disapproved by the gentlemen in the cities that have the benefit of this appropriation, not because it is of value to the public—because you have more judgment than to believe that, as compared with another service—but because the tubes are owned by people in these cities, and their investment may be affected thereby.

This is an evolution, just like all other methods of transportation. The automobile service is a superior service to the tube service. The proof in the whole matter shows that the automobile service is quicker and better, and so far as the mail is concerned it is less dangerous, because it does not destroy any part of the mail. The proof shows that the Government can get this better and superior service at about one-third of what it has to pay for the pneumatic-tube service.

So it is irrelevant what the people who own the tubes may get or not get out of it. Our first duty is to the Government. It is to give to the people of these cities the best service we can. We offer the best service. We offer it for less money, and therefore it ought to be accepted, regardless of the private interests of the corporations which control these tubes. Why, the officials of your Government in the cities of Washington, Chicago, and other places say that the service is not of sufficient value to them to be maintained and that it ought to be abandoned. They ought to know. They do know, and this demand for the protection of private corporate interests in these cities, to the destruction of the welfare and the interest of the American people, ought not to receive a response from any man in this House. It is simply a question whether our Government shall take advantage of these conditions which will enable it to give more effectual and valuable service for less expense than the antiquated service now in operation.

The corporations that own this property, according to the proof, get 28 per cent interest every year upon these tubes. They pay large sums to the officers who own most of the stock. They get a net profit of 14 per cent, as shown by their own proof. I believe that if the facts were known and developed here as they have been on a previous occasion, it would appear that the profit is twice that amount. But whether it is a large or a small profit, we as Representatives have to settle but one question. We are not involved in the interest of these private citizens. If, as I said, we give a better service and give it for less money, and save to the Government two-thirds of the cost, we ought to do it. I heard a gentleman suggest here that when the pneumatic-tube people were asked if they could give a service for less cost they made the answer that their books might be examined, and that they were willing to do that which was right. This record shows that upon inquiry from the corporate owners of these concerns they refused to say whether they would give this service for less money or not. We know that it is not worth \$17,000 a mile. We know that it is nothing less than the most consummate piece of speculation to charge that amount of money for this service. We know that less than 2½ per cent of all the mails of our country that are delivered through these cities is carried through these tubes, and we pay but a little more for the 98 per cent that is carried by other vehicles. Yet we are asked here to submit to this graft upon this Government. I am going to talk plainly about it, because as shown by the proof heretofore and as shown by the proof now, from its very inception it has become nothing less than a loathsome, larcenous graft. Need protection! Ah, the cities themselves from whence come the Representatives who sustain this corporation need protection that we, the whole people, ought to give to them. Mr. Chairman, this is not a big matter. It is a small matter, but that system can not continue. Every man who has studied it a moment knows that if the tube system must continue at all, it must be of sufficient size to carry something other than 5 or 6 pounds of letters. We know that the Governments which have investigated this system have repudiated the present system as worthless. They will not follow it. The proof shows that in London to-day, while this great war is going on, there is being run under that city a great tunnel 9 feet in diameter, through which the mails are to be carried upon cars. That might be worth something to us here if we could expedite all the mail of every character; but to preserve intact at this enormous expense a little 8-inch tube that carries only 60 per cent of 12 per cent of the mail is an outrage upon this Government. We ought to abandon it just as we abandoned the slower and more ineffectual methods of carrying the mails in other ways.

Do you talk about congestion in these cities? Do you suppose if we withhold 25 or 30 or 100 automobiles from our congested

streets in New York City or other cities, that will have any effect upon the ultimate congestion there? Is everybody going to stop the use of automobiles because thoroughfares may be congested at times? Shall the Government forego all of its rights and privileges, and every economic proposition, because some man is killed by an automobile in a congested part of the city? Ah, when men want that to which they are not entitled, when men want to extend their hands into the National Treasury for the purpose of protecting a graft in any city or in any part of the country, when they want to make the whole American people pay tribute to a few corporations, they dodge the main issue. They decline to rest their case upon the real facts, and they sometimes resort to the question of danger to the public on the highway. Do you suppose that if these tubes were closed up automobiles would stop or would be any less dangerous? I refer to that only as an indication of the futility of the whole argument. It is just the single question of honesty or dishonesty. That is all it is, gentlemen. Take your choice, and vote for the interest of the corporation or for the Government, just as you choose. [Applause and laughter.]

The CHAIRMAN. By order of the committee all debate is now closed on this amendment, and all amendments relating to pneumatic-tube service. The Chair will ask the Clerk to report the pending amendment.

The Clerk read as follows:

Amendment by Mr. TAGUE: Page 15, line 17, after the word "devices" in line 15, strike out "\$449,500" and insert "\$1,061,000 for continuance of service now existing in New York, Philadelphia, Boston, Chicago, St. Louis, and Brooklyn."

The question being taken, on a division (demanded by Mr. BENNET) there were—ayes 123, noes 84.

Mr. MOON. Tellers, Mr. Chairman.

Tellers were ordered, and the Chairman appointed Mr. Moon and Mr. TAGUE.

The committee again divided; and the tellers reported—ayes 152, noes 104.

Accordingly the amendment was agreed to.

The Clerk read as follows:

For inland transportation by steamboat or other power-boat routes or by aeroplanes, \$1,224,000: *Provided*, That out of this appropriation the Postmaster General is authorized to expend not exceeding \$100,000 for the purchase, operation, and maintenance of aeroplanes for an experimental aeroplane mail service between such points as he may determine.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. TILSON. I desire to offer an amendment.

The CHAIRMAN. The gentleman from Illinois reserves a point of order, and the gentleman from Connecticut desires to offer an amendment.

Mr. STAFFORD. As I understand the purpose of this appropriation of \$100,000 carried in this proviso, it is to enable the Postmaster General to carry on experiments, to purchase a Zeppelin to carry the mail in competition with the railroads of this country.

Mr. MOON. I do not know that it is in competition with anything; it is an experiment.

Mr. STAFFORD. Mr. Chairman, I make the point of order so far as the words "or by aeroplane," in line 10, and also against the proviso in the paragraph.

The CHAIRMAN. Does the gentleman from Tennessee desire to be heard on the point of order?

Mr. MOON. No; Mr. Chairman, I think the point of order made on the words "or by aeroplane" is correctly made. If the gentleman does not want the experiment, all right.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MOON. Right there, Mr. Chairman, the increase in this appropriation on account of these words that were stricken out was \$100,000, and if they go out the amount ought to be reduced. I offer the following amendment.

The Clerk read as follows:

Page 16, line 10, strike out the sum "\$1,224,000" and insert "\$1,124,000."

Mr. TILSON. Mr. Chairman, just what part went out on the point of order raised by the gentleman from Wisconsin?

Mr. MOON. The words "or by aeroplane" and the proviso.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee reducing the amount by \$100,000.

The amendment was agreed to.

The Clerk read as follows:

Railway Mail Service: For 15 division superintendents, at \$3,250 each; 2 assistant superintendents, at \$2,350 each; 15 assistant division superintendents, at \$2,250 each; 118 chief clerks, at not exceeding \$2,100 each; 474 clerks, grade 10, at not exceeding \$1,800 each; 2,053 clerks, grade 9, at not exceeding \$1,700 each; 429 clerks, grade 8, at

not exceeding \$1,600 each; 8,204 clerks, grade 7, at not exceeding \$1,500 each; 796 clerks, grade 6, at not exceeding \$1,400 each; 2,408 clerks, grade 5, at not exceeding \$1,300 each; 4,122 clerks, grade 4, at not exceeding \$1,200 each; 78 clerks, grade 3, at not exceeding \$1,100 each; 79 clerks, grade 2, at not exceeding \$1,000 each; 2,605 clerks, grade 1, at not exceeding \$900 each; in all, \$28,208,800: *Provided*, That hereafter clerks assigned as clerks in charge of crews consisting of more than one clerk shall be clerks of grades 5 to 10, inclusive, and may be promoted one grade only after three years' satisfactory and faithful service in such capacity: *Provided further*, That railway postal clerks shall be credited with full time when deadheading under orders of the department, and the appointment and assignment of clerks hereunder shall be so made during the fiscal year as not to involve a greater aggregate expenditure than this sum; and, to enable the Postmaster General to reclassify the salaries of railway postal clerks and make necessary appointments and promotions, he may exceed the number of clerks in such of the grades as may be necessary: *Provided*, That the number of clerks in the aggregate as herein authorized be not exceeded.

Mr. MAPES. Mr. Chairman, I move to strike out the last word for the purpose of asking a question of the chairman of the Committee on Post Offices and Post Roads. In my district there is a great deal of complaint on the part of business men and others over the delay of the mail. The mail is often 24 hours late. I have been told that this is due to the policy of the Post Office Department in taking off these railway mail clerks. I was told that mail postmarked on the 21st of December, for instance, was worked by the railway mail clerks coming out of Chicago on the 27th of December. I have been told that mail has been delayed the same way in other parts of the country. My information is that the delay is due to the policy of the department in taking off railway mail clerks and putting them into the terminals at a reduced grade or salary. Mail that in former years was worked in postal cars is now taken into the terminals and held until it can be worked there; put into proper vouchers to go on its way.

In looking over this paragraph I find that the clerks provided for in the paragraph are very much less in number than have been carried in former bills. For instance, in the act providing for the Post Office Service for the fiscal year 1914-15 there were 1,587 more postal clerks provided for than are provided for in this bill for 1917-18, notwithstanding the natural increase in the volume of mail generally and the great increase of parcel-post packages during that time.

Mr. MOON. The gentleman wants to know what I know about it?

Mr. MAPES. I want to ask if the Post Office Committee has ever made any investigation of this subject or the cause of these delays?

Mr. MOON. I do not think the Post Office Committee has gone into any investigation of that sort, because there has been no complaint of that sort before the committee. I understand, only in a general way, that in the administration of the office of Postmaster General, by the advice of his employees, he has in many instances reduced the crew because it is not essential to the public work; the crew can be reduced and the men be kept at work with less expense to the Government. Whatever action has been taken in the line has effected an economy. I do not think it will be found upon investigation, although I know nothing about it, that any delay has occurred by the lessening of the crew. We have had no complaint before us. Of course, during the holiday season there are more or less delays with any sized crew.

Mr. MAPES. I will say to the gentleman that in my district mail from Chicago can come over in one night's run, but there has been complaint from business men, which I have taken up with the department, that it is often 48 hours from the time their mail is put in the post office at Chicago before it is delivered in Grand Rapids and Holland. There is no delay in the train service to that extent.

Mr. MOON. I do not know, of course, any specific cause for delays. It may be that the gentleman has some cause for complaint, which he ought to bring to the notice of the department. The Post Office Committee is a legislative committee and does not undertake to settle any administrative proposition. We furnish all the service that the department says that it needs, and in some cases the committee thinks that they get some that they do not need, but the committee has been very liberal in giving all that was asked for where it did not appear clearly that too much had been asked for.

Mr. MAPES. Can the gentleman tell us why there has been such a material reduction in the number of clerks?

Mr. MOON. That was due to readjustment largely of the crews. The department felt that it could get along with the number of men recommended; of course, these men have gone to other positions where their services were needed more. There may not be much difference in the cost in dollars and cents, but the department regards it as a better administrative proposition. I think the gentleman can have his troubles corrected, if they are not merely temporary.

Mr. MAPES. I would like to call the gentleman's attention to this fact: In line 3, page 17, this bill provides for 796 clerks in grade 6; in the act of 1914 there were 2,318 and in 1915 there were 3,708 in grade 6, several times more than are carried in this bill several years later.

Mr. MOON. New clerks, the gentleman is talking about?

Mr. MAPES. No.

Mr. MOON. The gentleman will find that the grades have been changed from one to the other.

Mr. MAPES. Take grade 5. In 1914 you provided for 5,292, and in this bill you provide for 2,403.

Mr. MOON. Well, some have gone up in automatic promotion and the grades changed. It is impossible for me to tell the gentleman why it is that the department makes a specific recommendation as to the change of a few clerks, except in a general way. I, of course, can not go into detail and tell you so many more clerks are needed at one place and so many less at another. It is in the general administration of the department and the effort to economize and obtain good, efficient service that these reductions have been made. If it so happens that at some place the service is not as efficient as it had been, of course it would be erroneous to make those changes there, and I would suggest that the gentleman refer the facts in his case to the department and they no doubt can correct it.

Mr. MAPES. Mr. Chairman, it is perfectly patent that mail that was heretofore worked on the railway postal cars and now turned into the terminals to be worked there must necessarily be delayed, and when there is any great volume of mail it is simply piled up in these terminals until the clerks in the terminals can work it over. This means a delay sometimes of 24 hours, and sometimes a delay of several days, as I am informed. It is simply evidence of the fact that this particular economy of the Post Office Department is at the expense of the Postal Service.

Mr. VAN DYKE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

On page 18, line 3, after the word "exceeded," strike out the period, insert a colon, and add the words "*Provided further*, That hereafter when railway postal clerks are transferred from one assignment to another because of changes in the service their salaries shall not be reduced."

Mr. MOON. Mr. Chairman, on that I make the point of order that it is new law.

Mr. VAN DYKE. Mr. Chairman, I do not believe that the point of order will lie, for the simple reason that previously in the paragraph there were at least two provisions that were subject to the point of order, and the point was not raised.

Mr. MOON. What has that to do with this?

Mr. VAN DYKE. Consequently this amendment is germane to the section under discussion, and I believe is not subject to the point of order.

Mr. MOON. I am perfectly willing to have the Chair rule upon it. I do not care to discuss the matter.

The CHAIRMAN. The Chair is of opinion that the amendment changes existing law and sustains the point of order.

The Clerk read as follows:

For inland transportation of mail by electric and cable cars, \$581,000: *Provided*, That the rate of compensation to be paid per mile shall not exceed the rate now paid to companies performing such service, except that the Postmaster General, in cases where the quantity of mail is large and the number of exchange points numerous, may, in his discretion, authorize payment for closed-pouch service at a rate per mile not to exceed one-third above the rate per mile now paid for closed-pouch service; and for mail cars and apartments carrying the mails, not to exceed the rate of 1 cent per linear foot per car-mile of travel: *Provided further*, That the rates for electric car service on routes over 20 miles in length outside of cities shall not exceed the rates paid for service on steam railroads: *Provided, however*, That not to exceed \$15,000 of the sum hereby appropriated may be expended, in the discretion of the Postmaster General, where unusual conditions exist or where such service will be more expeditious and efficient and at no greater cost than otherwise, and not to exceed \$100,000 of this appropriation may be expended for regulation screen or motor screen wagon service which may be authorized in lieu of electric or cable car service.

Mr. TILSON. Mr. Chairman, I ask unanimous consent to proceed for five minutes on a matter which is related to this section, though perhaps not in order upon it.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TILSON. Mr. Chairman, in my judgment, it was most unfortunate that the point of order was made against that part of the bill which provided for the experimental use of aeroplanes for the mail service. I have great faith in the future of aerial navigation. I believe that it is the duty, and at this time it would seem to be the opportunity, of the United States to take the lead in the development of aeronautics for peaceful purposes. I had prepared an amendment increasing the amount in the bill from \$100,000 to \$200,000.

In Europe, as we know, the development of the use of aircraft has been abnormal, not to say uncanny, but almost exclusively for war purposes. It is already the principal factor in directing the army in action, and performs a most important function in the navy. It is the natural enemy of the submarine and possibly the best agent with which to fight this dangerous sea craft. All of Europe, however, has done nothing, comparatively, toward its use for peaceful purposes. Here we have the great opportunity of developing this new means of transportation for use in peaceful pursuits, and we should not neglect it. After the present war is over naval armament may decrease, large armies are sure to dwindle, but I for one believe that the air service has come to stay, and that it will grow in importance in peace as well as in war. If we should ever be so unfortunate as to become involved in war, every expert who is able to drive an air machine will be worth his weight in gold.

Considerable sums have been appropriated for use by the Army and Navy and are being expended just now in attempting to establish and build up in this country an adequate aviation service as a part of our national defense. Here is an opportunity to utilize by cooperation some of this money for peaceful purposes, because the Army and the Navy have expressed themselves as ready to cooperate with the Post Office Department in providing for the delivery of mail by aeroplane. I believe that there should be an appropriation made, and I hope that the other end of the Capitol will add such an appropriation to this bill, in order that we may begin the use of aeroplane service in the carrying of the mails. I should like to see an aeroplane route from every large city to every other. I should like to see before the end of the fiscal year for which we are now appropriating an aeroplane mail route from my home city of New Haven to the city of New York, and one from New York to Philadelphia or Washington. There is much important mail that might well be carried in this way. It would thus serve a positively useful purpose in our business life, besides the training that it will give the aviators and the development in aircraft that will surely result from it.

We have already appointed a national advisory board to handle the subject. That body has appointed a subcommittee composed of Lieut. Col. Squier, now in charge of the aviation section of the Signal Corps of the Army, Dr. Stratton, Director of the Bureau of Standards, and Dr. Marvin, Director of the Weather Bureau, who have offered to the Post Office Department their fullest cooperation.

We are at this time carrying the mail by aeroplane from the Mexican border to Gen. Pershing at Colonia Dublan, a distance of 110 miles. It takes a passenger automobile eight hours to make that trip. It takes an autotruck train more than a day, and yet the aeroplanes we now have in the service carry the mail and make the trip in 66 minutes. Gen. Scriven, now the head of the Signal Corps, a short time ago made the trip as a passenger by aeroplane from Columbus, N. Mex., to Colonia Dublan. Gen. Pershing could come to the border for a conference in 66 minutes and nobody know anything about it. We should not neglect the opportunity we have of developing and using this great service.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. FESS. In carrying the mail down on the border, have there been any interruptions in the service?

Mr. TILSON. The horsepower of the engines in the first aeroplanes that we used down there was not powerful enough and they did not succeed well in the higher altitude. The horsepower of the engines, however, has been increased up to 160, and any we now have of this type make the regular trip without any difficulty. As I have said, regular service is now maintained between Columbus and Colonia Dublan.

Mr. FESS. We could have reliance upon mail delivery in that way in the future?

Mr. TILSON. Undoubtedly. Perhaps weather conditions might interfere to some extent, but that is one reason why we ought to adopt the service, so that we may develop a service which will be of great value in time of peace and of absolute necessity in time of war.

Mr. STAFFORD. Will the gentleman inform the committee the weight of mail being carried in these aeroplanes?

Mr. TILSON. Well, there are all kinds of aeroplanes capable of carrying different weights. It depends upon what you build your aircraft for, as I said before.

Mr. STAFFORD. The gentleman has stated a concrete instance of mail being transported from the border down to the camp where Gen. Pershing's troops are encamped. Can the gentleman give the amount of mail one of these aeroplanes has carried, and of these aeroplanes?

Mr. TILSON. I do not know just the amount in pounds and ounces, but I know that Gen. Scriven, a man probably twice the size of the gentleman, was carried as a passenger, and his weight alone would make a considerable package of mail.

Mr. STAFFORD. That is not any great feat. We all know that aeroplanes have reached that development where they will carry an extra passenger beside the navigator. The gentleman has made some investigation and says this service is practicable, and I wish to inquire how much weight is being carried, and the gentleman does not seem to have that information.

Mr. TILSON. I do not know exactly how much could be carried by one of our present machines. Probably four or five hundred pounds. In Europe the very large aeroplanes seem to carry indefinite weight in the shape of bombs, machine guns, wireless apparatus, and such appliances, and it seems to be capable of indefinite expansion.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TILSON. I ask unanimous consent for three minutes more in order to yield to the gentleman from Illinois [Mr. CANNON].

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to proceed for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. The gentleman speaks of the use of aeroplanes in Mexico. Can they fly high enough to be immune from attacks of the enemy on terra firma?

Mr. TILSON. Oh, yes. So far as Mexico is concerned, there are no aeroplanes to be used against us there and no anti-aircraft guns, but in the European war it is necessary for them to fly very high. The highest battle I think I have heard of was fought at an altitude of over 19,000 feet, which is nearly 4 miles high—certainly too high for any anti-aircraft gun yet produced.

Mr. BRUMBAUGH. Will the gentleman yield?

Mr. TILSON. I yield.

Mr. BRUMBAUGH. Could an aeroplane carry in the atmosphere of Alaska?

Mr. TILSON. I do not think there will be any difficulty at all to get sufficient horsepower to carry in all sorts of altitudes and latitudes. When you reach 19,000 feet, that is a considerable altitude.

I think we ought not to lose the opportunity of developing this service. As I said in another connection, after this war is over the armament of navies may decline; the armies of Europe will certainly dwindle, but the air service will remain as the greatest development of this awful war. Why should not we, the greatest of nations now at peace, point the way in the use of this wonderful agency for purposes of peace? Let us use it in peace time for economic purposes as well as for the training of men for service in time of war. It will be of incalculable advantage to us if we can develop a number of men who are experts in the navigation of the air. They will be literally worth their weight in gold, in case of war. For that reason, it seems to me, instead of simply training men to fly in time of war for purposes of destruction, necessary as this may be, we should also use the same agency for the purposes of peace. I shall be very sorry not to see an experimental appropriation in this bill to begin the good work; but I hope the omission will be supplied in another body before the bill comes out of conference.

Mr. STAFFORD. Will the gentleman yield?

Mr. TILSON. I yield.

Mr. STAFFORD. Is the gentleman acquainted with the purpose of the Postmaster General in asking for this appropriation, that it is to experiment with Zeppelins?

Mr. TILSON. I do not understand it to be so.

Mr. STAFFORD. If the gentleman had read the Postmaster General's report he would not have any mistaken idea about that.

Mr. TILSON. I do not believe that to be the present attitude of the Post Office Department. I talked with Mr. Praeger, the Second Assistant Postmaster General, and I feel sure he has no such idea whatsoever in reference to the use of the Zeppelin. His idea is, if I understand his position right, that this appropriation is to be used for aeroplanes as stated in the part of the bill stricken out on the point of order of the gentleman from Wisconsin [Mr. STAFFORD].

Mr. CANNON. Would an amendment using the word "aeroplane" exclude the use of a Zeppelin?

Mr. TILSON. I am not sure, but think that would exclude a Zeppelin.

Mr. CANNON. It seems that the objection of the gentleman from Wisconsin is that a Zeppelin might be used. Now, I am inclined to believe that an appropriation ought to be made for one or both, and if there is any doubt about the use of a Zeppelin

can not the gentleman devise an amendment which would apply to an aeroplane and exclude a Zeppelin?

Mr. LONGWORTH. If the gentleman will permit, I will say that the word "aeroplane" means a machine heavier than air and that always has been its well-defined meaning and that would exclude a Zeppelin. Furthermore, you could not undertake to build a Zeppelin with \$100,000.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. VARE. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the Record. Is there objection? [After a pause.] The Chair hears none.

Mr. TILSON. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. DOWELL. Mr. Chairman, I ask the same privilege.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. KINKAID. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LONGWORTH. Mr. Chairman, I would ask unanimous consent to return to the paragraph in reference to aeroplanes for carrying mail.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to return to the paragraph indicated.

Mr. MOON. We can not go back to that paragraph now.

Mr. LONGWORTH. I thought the gentleman was in favor of the proposition?

Mr. MOON. But I am not in favor of going back right now.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MOON. Would it not be better for these gentlemen to defer those speeches until we get down to the main part of the bill?

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin [Mr. STAFFORD]? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, confirming the position I took in making the point of order concerning a provision that has just been referred to by the gentleman from Connecticut [Mr. TILSON], I wish to call the attention of the committee to the report of the Postmaster General upon which I base my objection. It is found on page 46 of the report, and is as follows:

From published reports of aerial operations abroad it would appear that the dirigible-balloon type of airship had been so perfected that it would convey great weight. In fact, the last statements that appear in connection with the subject assert that 300 passengers may be carried in an airship. This would approximate 15 tons net weight. The department is interested in determining the practicability of this method of transportation with a view to its utilization. It is suggested that authorization be given for experiments to be made with this type of conveyor. For aerial experimentations an appropriation of \$100,000 is recommended.

With the extravagant use of public money by the Signal Corps services in the appropriation carried in last year's military appropriation bill of \$13,000,000, under which they are authorizing experiments in every machine shop in this country that will manufacture or attempt to manufacture some motor that may be of use in aerial navigation, I think we have gone plenty far enough with that extravagant policy without delegating a similar line of experiment to another branch of the service. Let the naval and the military arms of the Government develop these matters, and when developed, for which the Government is paying heavily, then it will be time to utilize that service in connection with the Postal Service.

Mr. TILSON. Will the gentleman yield for a question?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. The Clerk will read.

The Clerk read as follows:

For transportation of foreign mails, \$3,720,900: *Provided*, That the Postmaster General shall be authorized to expend such sums as may be necessary, not exceeding \$103,000, to cover the cost to the United States of maintaining sea post service on steamships conveying the mails.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Will the chairman advise us whether this appropriation is the same as it was last year?

Mr. MOON. It is a decrease of \$79,100.

Mr. MOORE of Pennsylvania. Has the committee any information as to the stoppage of or the interference with United States mails on the high seas?

Mr. MOON. No. That has not been brought to our committee at all.

Mr. MOORE of Pennsylvania. It is reported occasionally in the newspapers that there has been some stoppage of United States mails.

Mr. MOON. It may have been done, but I have never paid any attention to the newspapers about these things.

Mr. MOORE of Pennsylvania. Is the gentleman or the committee advised as to a foreign censorship exercised over the mails of the United States?

Mr. MOON. Nothing of that sort has been brought before our committee. It is a matter, I take it, that belongs to the Department of State rather than to the Post Office Department.

Mr. MOORE of Pennsylvania. It is a fact, however, that foreign mail that is coming in bears evidence of being censored by a foreign power.

Mr. MOON. That is a matter over which we would have no jurisdiction.

Mr. MOORE of Pennsylvania. If it does not affect the appropriation I will not press the inquiry.

Mr. RAINEY. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to extend my remarks in the Record on the subject of clerk-hire increase in the present bill.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOON. Leave has been granted to everybody heretofore.

The Clerk read as follows:

For stationery for the Postal Service, including blanks, books, printed and engraved matter, binding and carbuo paper, and other miscellaneous items for the money-order and registry systems; also the preparation, publication, and free distribution by postmasters to the public of pamphlet containing general postal information; and also pay of one envelope inspector at \$1,800 per annum, and one assistant at \$900 per annum \$522,000.

Mr. MOON. In that which has just been read, in line 17, there occurs the word "carbuo." It should be "carbon."

The CHAIRMAN. Without objection, the correction will be made.

There was no objection.

The Clerk read as follows:

POSTAL SAVINGS SYSTEM.

For the purchase of supplies for the Postal Savings System, including blank books, forms, pamphlets, rubber stamps, canceling devices, certificates and cards and stamps for use in evidencing deposits, and free penalty envelopes; and for the reimbursement of the Secretary of the Treasury for expenses incident to the preparation, issue, and registration of the bonds authorized by the act of June 25, 1910, \$25,000.

Mr. MOON. Mr. Chairman, this is a decrease in this item of \$50,000. It was made on the suggestion of the Fourth Assistant Postmaster General. Heretofore it has been \$75,000. On consideration of the matter by the department, they think they will probably need an additional \$35,000, and I move to amend so that the law may be in accordance with the previous law on the subject. I move to amend by striking out "\$25,000" and inserting in lieu thereof "\$75,000."

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 22, line 6, strike out "\$25,000" and insert "\$75,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, \$8,675,000: *Provided*, That no part of this appropriation shall be expended for continuance of any star-route service the patronage of which shall be served entirely by the extension of rural delivery service, nor shall any of said sum be expended for the establishment of new star-route service for a patronage which is already entirely served by rural delivery service.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

In various times in the past I have criticized the Post Office Department in general and the office of the Fourth Assistant Postmaster General in particular because of the parsimonious attitude of that office, as I viewed it, in the matter of the establishment and improvement of star routes. I rise now for the purpose of bearing testimony—I think it is my duty to do that—to a more satisfactory view and attitude evidenced in the last few months on the part of the Fourth Assistant Postmaster General's office in this regard. Not that we are securing or have secured all the star-route service that we should have in the western country, but we are receiving—at least, that has been my experience—a more sympathetic and—part of the time, at least—a more favorable consideration of our requests.

The department in the past has been possessed of and obsessed with the idea that those who have gone to the frontier and who have settled in far-distant localities are not entitled to much consideration at the hands of the Postal Service unless it can be shown that the service that they ask for and desire will measurably pay. We all know that in the widely scattered settlements and homes of the mountains and of the western plains the service can not be made to pay from the standpoint of the actual local stamp cancellation. At the same time we have always held to the view that an American settler, an American citizen, an American pioneer, wherever he might go, was entitled to have the Postal Service of the country follow him, not necessarily with frequent service, but with occasional service at least.

I want to bear testimony to the fact that the department in the recent past has improved much in its view, attitude, and action in these matters as compared with the policy of a number of years past. There is still room for further improvement, but I feel it my duty to say that we are securing better service and more favorable consideration of our requests than formerly.

The carrying of mail over the star routes of the sparsely settled and mountainous portions of the West is one of the services and enterprises of Government which still retains much of the character and flavor of the adventurous occupations of the old frontier. With wagon and sled, on horseback, on skis or snowshoes, and in these later days sometimes with a jitney, crossing sun-scorched and wind-swept plains and snow-covered highlands, toiling through gorge and canyon, breasting mountain torrents and scaling mountain passes, the star-route carrier, in torrid heat and numbing blasts, carries to the isolated ranch, the newly-established homestead settlement, the snow-bound miner and prospector, letters from the old home and the newspapers and magazines which keep the dwellers in these frontier sections in touch and sympathy with the doings of the great world outside. It is a service of the most arduous and exacting kind and character, and yet, of all governmental services with which I am familiar, it is the least adequately compensated. Like all pioneer work and like many of the world's most rugged tasks, he who performs it is called upon to take a considerable portion of his recompense in the satisfaction of a hard and useful service well performed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, while I am on this subject of western overland postal routes, known as star routes, let me call attention to the fact that the star-route service in the sparsely settled and mountain West is the first cousin and the immediate successor of the old transcontinental pony express, that picturesque service performed by the hard riding, death-defying couriers of the desert and the mountains, whose exploits and adventures appealed so strongly to the hearts and imaginations of a former generation.

The pony express became possible through the courage and daring of those who serving as the scouts and guides of expeditions, civil and military, which penetrated or crossed the region of the frontier, acquired the experience and developed the nerve which made them competent to traverse wide, unguarded areas with speed and certainty.

The winged couriers of the air brought us yesterday from a beautiful city of that section so recently the frontier, in whose early, heroic, and adventurous days he was so striking and conspicuous a figure, the story of the peaceful passing over the range to his final camping ground of one of the finest and most heroic figures of the old scouting, pioneering, and pony express days—Col. William Frederick Cody. [Applause.]

It is meet and proper, in my opinion, that we should pause a moment in the consideration of these items covering the Postal Service in that western land so recently desert and wilderness, now so strangely a combination and mixture of these conditions and of culture and cultivation and development of the highest order, to speak of this man, who was the beau ideal of the romance and the chivalry, of the courage and the daring of the good old pioneer days of the Golden West.

Whatever others may have contributed to the history of that time and region to the work of development that has brought so marvelous a transformation into many sections of the old West, of the mountains, and the plains, no one will challenge Col. Cody's premiership in contribution to those thrilling and inspiring episodes, to the pleasing and picturesque illumination of those incidents and characteristics of his period and section, which have most charmed and challenged, inspired and thrilled the Nation and the world.

Superbly comely and handsome in form and figure, with a poise and carriage which any king might have envied, possessed of a personal courage never questioned or challenged, intrepid as a gladiator, courtly as a prince, kindly and considerate in act and attitude, it scarcely required the genius of a Buntline to enshrine him the hero and idol in the hearts of the youth of the land, young and old, which his native qualities made him to those who knew him.

Other men have illustrated in a more marked degree some one of the many attractive qualities and shining virtues which Col. Cody possessed, but no man ever lived in the West who combined, as he did, the sterling qualities which make men useful in stirring and soul-testing days, with the graces of person and manner which complete and round out the figure of an ideal representative of a time and condition curiously blending the extremes of hardship and romance.

He passed away as he had lived, a courageous soul, calm-eyed and even-pulsed, in the presence of the inevitable, heroic, gracious, considerate, and thus preserved for the Nation the charming ideal of character which has and will continue to make the story of William F. Cody, "Buffalo Bill," of intense and absorbing interest to those whose hearts remain young and respond to the thrills of romance and adventure. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For pay of rural carriers, substitutes for rural carriers on annual leave, clerks in charge of rural stations, and tolls and ferrage, Rural Delivery Service, and for the incidental expenses thereof, \$53,000,000.

Mr. MOON. Mr. Chairman, I have an amendment which I wish to offer at that point, unless it is desired that I wait until the whole section shall have been read.

The CHAIRMAN. The Chair would state to the gentleman that the bill is being read by paragraphs.

Mr. MOON. Very well.

The CHAIRMAN. The Clerk will proceed with the reading of the paragraph.

The Clerk read as follows:

Provided, That not to exceed \$20,000 of the amount hereby appropriated may be used for the compensation of clerks in charge of rural stations: *Provided further*, That on and after July 1, 1917, rural carriers shall receive a salary not exceeding \$2,000 per annum, and their maximum salary shall be based on the length of their routes, the time required to serve them, and the number of pieces and weight of mail transported: *And provided further*, That on and after July 1, 1917, the minimum compensation of rural carriers shall be as follows: On routes of 24 miles and over, six times a week, \$1,200 per annum, payable monthly; on routes 22 miles and less than 24 miles, \$1,152; on routes 20 miles and less than 22 miles, \$1,080; on routes 18 miles and less than 20 miles, \$960; on routes 16 miles and less than 18 miles, \$840; on routes 14 miles and less than 16 miles, \$720; on routes 12 miles and less than 14 miles, \$672; on routes 10 miles and less than 12 miles, \$624; on routes 8 miles and less than 10 miles, \$576; on routes 6 miles and less than 8 miles, \$528; on routes 4 miles and less than 6 miles, \$480. A rural carrier serving one triweekly route shall be paid on the basis for a route one-half of the length of the route served by him, and a carrier serving two triweekly routes shall be paid on the basis for a route one-half of the combined length of the two routes: *And provided further*, That no rural route on which the use of a motor vehicle would be required shall be established unless a motor vehicle can be operated thereon with reasonable regularity for 12 months in the year: *And provided further*, That when any route is authorized that absorbs or eliminates existing routes the carriers affected thereby shall be retained in the order of their relative efficiency.

Mr. MOON and Mr. STEPHENS of Mississippi rose.

The CHAIRMAN. For what purpose does the gentleman from Mississippi rise? The gentleman from Tennessee is the chairman of the committee.

Mr. STEPHENS of Mississippi. I desire to make a point of order.

Mr. MOON. And I desire to offer an amendment.

The CHAIRMAN. The point of order will be reserved, and the Clerk will report the amendment of the gentleman from Tennessee.

Mr. MOON. The point of order, Mr. Chairman, if made at all, will come after the amount, "\$53,000,000."

Mr. STEPHENS of Mississippi. It comes after that language.

Mr. MOON. I want to offer an amendment, Mr. Chairman, which does not affect that.

The CHAIRMAN. If the gentleman from Tennessee offered his amendment to the first part of the paragraph, of course the regular proceeding would debar the gentleman from Mississippi.

Mr. STEPHENS of Mississippi. My point of order is made to that part beginning on page 26, line 9, the proviso there, and running down to line 12 on the same page; beginning with the word "and," on line 9, and ending with the word "year," on line 12.

Mr. CANDLER of Mississippi. Mr. Chairman, I make a point of order on another provision in that paragraph, on lines 13 and 14 of page 25. I want to make a point of order on the words "the time required to serve them, and the number of pieces and weight of mail transported," on lines 13 and 14.

Mr. TOWNER. Mr. Chairman, I desire to make a point of order on that part of the paragraph commencing on line 10, on page 25, and all of the succeeding parts of the paragraph down to and including line 15, on page 26, for the reason that it is new legislation, not authorized by existing law, and in contravention of existing law.

Mr. MOON. That is from line 7, after the "\$53,000,000," is it?

Mr. TOWNER. It commences on line 10, or rather near the end of line 9, at the beginning of the proviso.

Mr. MOON. Beginning with "Provided, further." The balance of it you will not make a point of order on?

Mr. TOWNER. No.

Mr. MOON. Now, Mr. Chairman, in behalf of these apostles of the free rural carriers [laughter], I will concede the point of order on all this language.

The CHAIRMAN. The Chair sustains the point of order, and directs the Clerk to strike from the bill, commencing on page 25, line 9, the language "Provided further," down to and including the word "transported," line 14, and on page 26—

Mr. TOWNER. Down to and including line 15, on page 26.

The CHAIRMAN. Yes. The Chair sustains the point of order.

Mr. MOON. There ought to be a period after the word "stations."

Mr. MANN. Does it strike out all of the paragraph after the word "stations"?

Mr. MOON. Yes; it all goes out. There ought to be a period after the word "stations."

The CHAIRMAN. Without objection, the Clerk will read the section to which the gentleman from Tennessee offers his amendment.

The Clerk read as follows:

For pay of rural carriers, substitutes for rural carriers on annual leave, clerks in charge of rural stations, and tolls and ferrage, Rural Delivery Service, and for the incidental expenses thereof, \$53,000,000.

Mr. MOON. Now, Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Tennessee.

The Clerk read as follows:

Amendment offered by Mr. MOON: After the amount "\$53,000,000," on page 25, line 7, insert:

"Provided, That the greater maximum yearly salary shall hereafter be paid to the rural carrier on Lake Winnepesaukee who furnishes his own equipment."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. CANDLER of Mississippi. Mr. Chairman, I want to inquire how much of that paragraph went out?

Mr. MOON. All of it went out.

The CHAIRMAN. All of the paragraph following line 9, page 25, down to and including line 15 on page 26.

Mr. AUSTIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Tennessee [Mr. AUSTIN].

The Clerk read as follows:

Amendment offered by Mr. AUSTIN: In line 4, page 26—

Mr. COADY. That is out.

The CHAIRMAN. The Chair will call the attention of the gentleman to the fact that that part of the bill has been stricken out.

Mr. AUSTIN. Then I offer it to follow the amendment submitted by the gentleman from Tennessee, the chairman of the committee.

The CHAIRMAN. The Clerk will report the gentleman's amendment.

The Clerk read as follows:

Amendment offered by Mr. AUSTIN, following the amendment just adopted: After the word "equipment," on page 25, add the following: "On routes 26 miles and more than 34 miles, \$1,248"—

Mr. MOON. Mr. Chairman, I make a point of order on the amendment. It is contrary to existing law.

The CHAIRMAN. The amendment had better be read throughout. The Chair can not rule on it until the reading of it has been finished by the Clerk.

The Clerk read as follows:

On routes 26 miles and more than 24 miles, \$1,248; on routes 28 miles and more than 26 miles, \$1,320; on routes 30 miles and more than 28 miles, \$1,440; on routes 32 miles and more than 30 miles, \$1,560; on routes 34 miles and more than 32 miles, \$1,680; on routes 36 miles and more than 34 miles, \$1,728.

Mr. MOON. I made my point of order because enough of the amendment has been read to show that the whole of it is subject to the point of order.

Mr. AUSTIN. I wanted to have the whole of it read, to show the gentleman that he ought not to make a point of order against it.

Mr. MOON. Now, it has all been read, and I make the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Tennessee [Mr. AUSTIN] on the point of order.

Mr. AUSTIN. Mr. Chairman, this bill seeks to reduce the compensation of the rural carriers where the route is less than the standard route of 24 miles. If we have the right under the provisions of this bill to reduce the compensation on account of the reduced number of miles served by a rural carrier, we ought also to have the right to increase the compensation for carrying the mail more than the standard number of miles. In other words, if the carrier should be docked or reduced on account of a less number of miles, in all fairness he ought to be paid increased compensation where the department orders an extension of the route.

Mr. MOON. Does not my colleague understand that there is now a law providing for the compensation of carriers?

Mr. AUSTIN. Yes.

Mr. MOON. And does not my colleague propose to amend that law?

Mr. AUSTIN. Yes; by improving it.

Mr. MOON. And because the gentleman proposes to change that law I make the point of order against it.

Mr. AUSTIN. I want to improve it in the interest of fairness.

The CHAIRMAN. The Chair is ready to rule. The Chair is not concerned with the merits of the proposition. The matter for the Chair to determine is whether the amendment is in order.

Under the rules of the House an amendment proposing legislation to an appropriation bill is not in order unless it comes within one of the excepted classes provided in the Holman rule.

The amendment in question is clearly legislation and does not come within the excepted clauses, and the Chair is constrained to sustain the point of order.

The Clerk read as follows:

For village delivery service in towns and villages having post offices of the second or third class, \$500,000.

Mr. RUSSELL of Missouri. I move to strike out the last word, for the purpose of asking the chairman of the committee if this does not double the appropriation made last year for this purpose?

Mr. MOON. Yes; it doubles it.

Mr. RUSSELL of Missouri. I want to ask the purpose of that increase. Is it to double the number of villages that are getting this free delivery?

Mr. MOON. Under the old law it was an experimental proposition, and there were a number of villages that got the benefit of the appropriation. The result of that was that every village which had the service reported to the department that it had brought better lighting, better streets, and better service to the patrons of the post office than any other method that had been had. The department required those conditions of better lighting and better streets and sidewalks before the service went into effect. They reported that it had been very beneficial to them all. The last Congress therefore made this a permanent law, and the experimental proposition was stricken out. This year we propose to extend it by doubling the amount, so as to let it go to other villages. I take it that the growth of this proposition will be something like that of the rural delivery, which was begun in the same way, and that finally it will be extended to all villages in the United States that now have neither city delivery nor rural delivery, and that this new service will ultimately accommodate perhaps 20,000,000 people.

Mr. RUSSELL of Missouri. Certain requirements will be made of the towns that apply for this sort of service?

Mr. MOON. Oh, yes. The department requires good sidewalks, good lights, and good streets. It is of great benefit to the towns that have it.

Mr. RUSSELL of Missouri. I am in favor of it. Is it the probability that free village delivery will finally be provided in all the villages that comply with the requirements of the department?

Mr. MOON. Yes; so that we shall ultimately have free delivery in the cities, in the villages, and in the country.

Mr. RUSSELL of Missouri. Is there any rule now fixed by which the department determines what villages shall get this service?

Mr. MOON. No.

Mr. RUSSELL of Missouri. Is there any requirement of population?

Mr. MOON. No; it is in the discretion of the department. The villages that comply with the requirements as to light, and so on, get it. Most of them can do it.

Mr. RUSSELL of Missouri. I am glad to state that under the experimental law which was passed, one of the villages in my district was a beneficiary, and this service has proven to be a very popular one. I would be glad to see it extended to other villages.

Mr. MOON. I hope that may be done.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 2. That the Postmaster General is hereby authorized to prescribe regulations for the establishment and maintenance of a guaranty fund, to be derived from assessments levied against and collected from officers and employees of the Postal Service accountable for funds or property, with which to make good losses resulting from the failure of any officer or employee of the Postal Service to properly discharge his official duty and for the indemnification of the Government and any person or persons sustaining such loss or losses by payments out of such funds; but nothing herein shall be construed as binding the Government or the Postmaster General to make any such payment or reimbursement.

Mr. COADY. Mr. Chairman, I make a point of order on the whole of section 2.

Mr. MOON. Mr. Chairman, the bill, so far as appropriations are concerned, has been completed. The sections numbered 2 to 11, inclusive are, all of them, new law. Therefore all of those sections are subject to the point of order unless the House thinks it wise to take up some one of them and waive the point of order.

I want to remark generally in reference to these sections of new law that, taken in the aggregate, these 10 new sections will secure the people of the United States against a loss of more than \$100,000,000 annually.

This particular second section, which is objected to by the gentleman from Maryland, is objected to by the bonding companies of the United States. I take it the people have no objection to it, but the bonding companies that charge a high price for the bonding of officers and of people who make contracts with the Government are very bitterly opposed to this section. They had a hearing on it once before. The Government is not seeking to go into business in this matter, but it can provide for a number of its employees an indemnity that will protect the Government against all loss at a rate about 25 per cent less than these bonding companies charge.

It also will provide an indemnity for the Government against losses incident to the employment of men now not governed by the bonding companies, and the Government can save itself by hundreds of thousands of dollars by the failure of the bonding companies to respond to losses. Of course, the objection that this is new law is well taken. I am not going to insist on the gentleman withdrawing his point of order. If he thinks more of the bonding companies of Baltimore and other places than he does of the Government, let him make it. I concede the point of order.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

SEC. 4. That section 3929, Revised Statutes, be, and is, amended so as to read as follows:

"The Postmaster General may, upon evidence satisfactory to him that any person or company is engaged in conducting any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or other contingency, or that any person or company is conducting any scheme or device for obtaining money or property of any kind through the mails by means of false or fraudulent pretenses, representations, or promises, or that any person or company is selling, offering for sale, or sending through the mails any article, device, or thing designed or intended for the conduct of a lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or other contingency, or any unfair, dishonest, or cheating gambling article, device, or thing, instruct postmasters at any post office at which letters or other matter arrive directed to any such person or company, or to the agent or representative of any such person or company, whether such agent or representative is acting as an individual or as a firm, bank, corporation, or association of any kind, to return all such letters or other matter to the postmaster at the office at which they were originally mailed, with the word 'fraudulent' plainly written or stamped upon the outside thereof, and all such letters so returned to such postmasters shall be by them returned to the writers thereof under such regulations as the Postmaster General may prescribe. But nothing contained in this section shall be so construed as to authorize any postmaster or other person to open any letter not addressed to himself. The public advertisement by such person or company so conducting such lottery, gift enterprise, scheme, or device that remittances for the same may be made by letters to any other person, firm, bank, corporation, or association named therein shall be held to be prima facie evidence of the existence of said agency by all the parties named therein; but the Postmaster General shall not be precluded from ascertaining the existence of such agency in any other legal way satisfactory to himself."

Mr. KINCHELOE. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee what change there is in the law in this paragraph?

Mr. MOON. This is an enlargement of the original law. For the exact language I will refer the gentleman to the hearings, page 85.

Mr. KINCHELOE. I want to ask the gentleman if under the provisions of this section where it uses the words "scheme of any kind," whether or not, if this becomes a law, it would not forbid a newspaper which advertised an automobile contest for the purpose of increasing its subscription or a mercantile establishment offering prizes for conducting a special sale? Would not they be forbidden to advertise it?

Mr. MOON. What part of the paragraph does the gentleman refer to?

Mr. KINCHELOE. Well, for instance, in line 21, where it says "or scheme of any kind."

Mr. MOON. Yes; that would enlarge the statute against gambling and unfair and dishonest cheating methods. There is no question about that, whether it was performed by a newspaper or a church bazaar or Masonic order or anybody else.

Mr. KINCHELOE. Under the statement of the chairman of the committee, Mr. Chairman, I will make the point of order against the section.

The CHAIRMAN. The Chair sustains the point of order.

Mr. STAFFORD. The gentleman can not make the point of order now. No point of order was made against it. The gentleman made a motion to strike out the last word.

The CHAIRMAN. The Chair will have to reverse his ruling. It was made on the theory that the point of order was made and the gentleman from Tennessee conceded the point of order.

Mr. MOON. I said in the beginning that points of order were well taken if they were made, but the gentleman from Kentucky did not make the point of order, but proceeded to discuss his amendment.

The CHAIRMAN. The Chair was about to state that as the gentleman from Kentucky made no point of order and offered an amendment, it is too late now to make the point of order.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last two words in order to ask a question about this paragraph. I take it that this would prevent a church from sending out tickets through the mails if the purpose was to sell prizes.

Mr. MOON. I believe if churches are engaged in any matter that was construed by law to be a lottery that it would affect the church like any other person or institution.

Mr. MOORE of Pennsylvania. I read from the paragraph:

The Postmaster General may, upon evidence satisfactory to him that any person or company is engaged in conducting any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or other contingency.

That would seem to prevent a church from selling tickets for a chance on articles at a fair or a political club from selling chances. And it would probably prevent a newspaper from offering prizes—a piano, for instance—in order to increase its subscriptions? I am seeking information as to the meaning of the paragraph. Would it stop the practices indicated?

Mr. MOON. The language of the paragraph is:

The Postmaster General may, upon evidence satisfactory to him that any person or company is engaged in conducting any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or other contingency, or that any person or company is conducting any scheme or device for obtaining money or property of any kind through the mails by means of false or fraudulent pretenses, representations, or promises, or that any person or company is selling, offering for sale, or sending through the mails any article, device, or thing designed or intended for the conduct of a lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or other contingency, or any unfair, dishonest, or cheating gambling article, device or thing.

The whole effect of it is to prevent the passing through the mail not only the whole but parts of the scheme or device intended as a game of chance, lottery, or gift enterprise.

Mr. MOORE of Pennsylvania. Must the scheme necessarily be false or fraudulent?

Mr. MOON. It does not affect those that are not.

Mr. MOORE of Pennsylvania. The newspaper that advertises a piano in order to increase its list of subscribers—

Mr. MOON. I do not think that would be subject to this act.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. TOWNER. I want to say to the gentleman that the Post Office Department has already determined that the giving away of pianos, diamond rings, and so forth, upon votes obtained in connection with subscriptions to a newspaper was not a lottery.

Mr. MOORE of Pennsylvania. The Postmaster General has so ruled?

Mr. TOWNER. Yes.

Mr. MOORE of Pennsylvania. That is the point I was trying to get at. What are we trying to do by this paragraph?

Mr. TOWNER. They have held that that is not a lottery. This applies to lotteries and fraudulent devices.

Mr. MOORE of Pennsylvania. Then fraud and false pretense must be shown, otherwise this paragraph is of no particular effect?

Mr. TOWNER. I would think so.

Mr. MOORE of Pennsylvania. It may be, Mr. Chairman, that this is one of those paragraphs of the bill that will save the people \$100,000,000, but I am not quite sure of it and I am not sure that any great purpose is being accomplished if proof has to be shown of fraud or false pretense. We are still subject to the receipt of cards, tickets, importunities to take chances, and we are still subject to the newspapers that want to give a piano away for the largest number of subscribers.

Mr. STEENERSON. Mr. Chairman, this is only a revision of existing law, and it makes a very small change in the law. It was explained at length by the solicitor of the Post Office Department, Mr. Lamar, in the hearings, and it will be found on page 90, near the bottom of that page, that the purpose was to amend these two sections by giving authority to the Postmaster General to also issue such an order against any person or concern found to be using the mails in the traffic of anything intended for the conduct of a lottery or traffic in any cheating or gambling device.

Mr. MOORE of Pennsylvania. Will the gentleman yield for a question?

Mr. STEENERSON. Yes.

Mr. MOORE of Pennsylvania. Does this give the Postmaster General greater or less power than he has had heretofore?

Mr. STEENERSON. It adds to the things which are prohibited in these statutes. It adds "or other contingency," in defining a lottery.

Mr. MOORE of Pennsylvania. If the gentleman from Iowa [Mr. TOWNER] was correct in his statement, and I assume that he was, the Postmaster General seems to have had the power to stop the passage through the mails of letters that contain evidence of lottery and games of chance.

Mr. STEENERSON. He certainly has that power under the lottery law.

Mr. MOORE of Pennsylvania. What is there new in this paragraph giving increased power to the Postmaster General?

Mr. STEENERSON. The witness before the committee, Mr. Lamar, said it added "or other contingency."

Mr. MOORE of Pennsylvania. "Other contingency" might mean a newspaper that is giving a piano away.

Mr. STEENERSON. Oh, no. The necessity for a revision has been proven in many cases. The existing sections have been defined strictly, and they could not reach all of the evil that the statute was intended to remedy.

Mr. MOORE of Pennsylvania. Then the gentleman thinks that this tends to fortify the Postmaster General?

Mr. STEENERSON. I think it gives more protection to the public against fraud, and I think it is safe to pass it. We gave it very careful consideration.

Mr. MOORE of Pennsylvania. How much money would the Postmaster General save by this?

Mr. STEENERSON. This is not a money saving proposition to the department, but it is to the people of the United States.

Mr. MOORE of Pennsylvania. That is true. A great deal of money is lost every year through fake advertisements and things of that kind. Does the gentleman know how much?

Mr. STEENERSON. I figured it out once that about \$300,000,000 are obtained by schemes to defraud through the Post Office Department.

Mr. MOORE of Pennsylvania. I have heard it fixed at \$500,000,000.

Mr. STEENERSON. I know there was one gentleman in New York who succeeded in mulcting the public to the extent of \$17,000,000.

Mr. MOORE of Pennsylvania. The question is whether the committee has given the Postmaster General sufficient authority to stop those frauds that are enacted through the Post Office Department.

Mr. STEENERSON. After prosecuting a great many cases the solicitor for the department has recommended this change to strengthen the law.

Mr. MOORE of Pennsylvania. I thank the gentleman for his very lucid explanation.

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

SEC. 5. That section 4041, Revised Statutes, be and is amended so as to read as follows:

"The Postmaster General may, upon evidence satisfactory to him that any person or company is engaged in conducting any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in

part upon lot or chance, or other contingency, or that any person or company is conducting any scheme for obtaining money or property of any kind through the mails by means of false or fraudulent pretenses, representations, or promises, or that any person or company is selling, offering for sale, or sending through the mails any article, device, or thing designed or intended for the conduct of a lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or other contingency, or any unfair, dishonest, or cheating gambling article, device, or thing, forbid the payment by any postmaster to said person or company of any postal money orders drawn to his or its order, or in his or its favor, or to the agent of any such person or company, whether such agent is acting as an individual or as a firm, bank, corporation, or association of any kind, and may provide by regulation for the return to the remitters of the sums named in such money orders. But this shall not authorize any person to open any letter not addressed to himself. The public advertisement by such person or company so conducting any such lottery, gift enterprise, scheme, or device that remittances for the same may be made by means of postal money orders to any other person, firm, bank, corporation, or association named therein shall be held to be prima facie evidence of the existence of said agency by all the parties named therein; but the Postmaster General shall not be precluded from ascertaining the existence of such agency in any other legal way."

Mr. RICKETTS. Mr. Chairman, I move to strike out the last word. The chairman of this committee has already indicated that sections 2 to 11 are all subject to the point of order.

Mr. MOON. What is that?

Mr. RICKETTS. If I understand the chairman rightly, he stated to the committee that sections 2 to 11 are all subject to the point of order.

Mr. MOON. I think so; but I hoped the gentleman on a matter of public morals so seriously affected as this section will not make the point of order.

Mr. RICKETTS. Oh, I do not expect to do that, Mr. Chairman; I simply wanted to say to the House that I would address myself to the provisions of section 10 here. I am compelled to leave soon or I would not take up the time of the committee now. In my district there are four distinct classes of people, namely, the miners who extract the coal from the bowels of the earth, the laboring men who work in the factories, the laboring men who work in the railroad shops, and those who are engaged in agriculture. All of these various classes of men are fairly well organized. I want to say to the Members of this body that I have received letters and telegrams from each and every class of people in my district objecting to this section 10, to this provision known as the Randall amendment, or the zone system.

On the 2d day of January the gentleman from California, Hon. CHARLES H. RANDALL, obtained unanimous consent of the House to extend his remarks in the RECORD on the zone postal system on newspapers and magazines. It seems from his statement in the RECORD that he is interested in the rider attached to the Post Office appropriation bill, which is now being considered by the House. Just why he should have introduced his argument in favor of this rider by extension of remarks in the CONGRESSIONAL RECORD is not entirely clear to me, nor is it satisfactory, in my judgment, to many Members of this House.

This subject is one of vital importance to the laboring and poorer classes of people in America and should have been presented to this House in a separate and distinct bill, so that the same might have been fully discussed from every angle; but the committee has chosen to bring about this legislation affecting so many people, by hitching onto this appropriation bill a rider which proposes a zone system for the United States with reference to second-class mail matter, the rates of which are proposed to be greatly increased. When a rider is hitched to an important and necessary bill, the rider is usually looked upon as of questionable merit and as covering a subject that will not stand daylight investigation. In a word, an attempt on the part of interested parties to slip something over without discussion. If this zone scheme of rates is worthy of the slightest consideration by Congress, it covers a matter so very important and vital to the public at large that it should be presented as a separate bill and a fair investigation should be made as to its probable effects from every standpoint.

It would seem to me that the object of this legislation, in an indirect way, or in a roundabout way, or in a way not entirely commendable, is to put out of existence all publications with national circulation, including weekly and monthly magazines, and journals pertaining to such subjects as agriculture, medicine, engineering, religion, farm marketing, literature of all kinds, science, art, and practically every other known topic that is beneficial and of the utmost importance to the common people of America under the guise of lowering postage on first-class drop-letter mail, and for the purpose of increasing the revenue to the Government and making the Post Office Department self-supporting.

This rider, which is fathered by the gentleman from California [Mr. RANDALL], owner of a California county weekly, which enjoys free county mail privileges, provides for the zone

system for second-class mail matter, the classification under which newspapers and magazines of every description are mailed. The rider is seemingly worked out, either through design or ignorance, to destroy all national magazines, farm journals, and marketing newspapers, and to hand over the patronage now enjoyed by these publications to the local daily papers. Under the rider publications will enjoy the present rate of 1 cent per pound within a radius of 300 miles. This takes very nice care of all daily papers, because none of them has a percentage of circulation outside of the 300-mile limit that is worth while. Daily newspapers are not only local in circulation but local in interest, aim, and object when it comes to the covering of news. The blow calculated as a knock-out punch, which is aimed at all publications having nation-wide circulation, appears in the proposed measure fixing the following second-class rates beyond the 300-mile radius:

From 300 to 600 miles, 2 cents per pound.
 From 600 to 1,000 miles, 3 cents per pound.
 From 1,000 to 1,400 miles, 4 cents per pound.
 From 1,400 to 1,800 miles, 5 cents per pound.
 Over 1,800 miles, 6 cents per pound.

The excuse for this proposed change in rates is given as the cost of handling the mail. It is very plain to be seen, however, that if second-class mail matter can be handled within a radius of 300 miles of the publishing point for 1 cent a pound, then the rates beyond the 300-mile radius, as proposed, are excessive, and are calculated to discriminate against the publication with national circulation.

Mr. RANDALL. Will the gentleman yield?

Mr. RICKETTS. Yes, sir; I will yield.

Mr. RANDALL. Will the gentleman name the county weekly that the gentleman from California owns?

Mr. RICKETTS. Well, I can not say I can name it. I saw it printed in all the papers and in one of the CONGRESSIONAL RECORDS that the gentleman is the owner of a weekly in California. If I am mistaken about that, I beg the gentleman's pardon, but I have been so informed.

Mr. RANDALL. The gentleman from California has not owned any kind of a paper for over two years, and prior to that time the newspaper he did own was not circulated at free county rates, but circulated in the city of Los Angeles.

Mr. BENNET. If the gentleman will permit, I am very glad the gentleman from California made that statement, because I want to say very frankly as a member of the Committee on Rules that most of the periodicals of the country have sent us information that the gentleman was owner of a weekly newspaper directly benefited by the section, so I am very glad to hear he is not.

Mr. RICKETTS. The great magazines and periodicals of the country are of incalculable value in the education and culture of millions of wage earners, young men and young women, and the common people generally, who month by month absorb the contents of these high-class periodicals and not only gain an education but a higher and nobler conception of American citizenship.

Can the Congress of the United States afford to restrict the education of the masses, and a consequent wider conception among those who for one reason or another have been deprived of the advantage of schools? I say no, emphatically no. And this is what the proposed postal rates or zone system will eventually result in.

The publishers of magazines and periodicals can not be expected to donate their services to the uplifting of the people. The increased cost will fall on the consumer. The wage earner, struggling to make both ends meet, will keenly feel the increase. The result will be the diminution in the sales of periodicals and a consequent lessening of educational advantages and an ultimate loss to the general intelligence of the good people of America.

Just a few days ago this House passed the vocational education bill in which \$500,000 was appropriated, the purpose of that bill being to reach the boys and girls of the country and to aid them along vocational lines.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RICKETTS. Mr. Chairman, I have not taken one second's time of this House during this session until now, and I would like to have my time extended five minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that his time be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. RICKETTS. Everybody conceded that legislation was wise and I concede it to be wise. It was a step in the right direction, by which hundreds of people will be benefited; but let us not lose sight of the fact that many hundreds of people throughout the United States are being benefited by the maga-

zines that are carried to their homes each and every month. Many of those magazines contain articles written by very capable men upon some of the most important subjects discussed, and of public interest in the United States and of interest to nearly all the people of the United States.

What is the position of the toilers of this country with reference to the proposed legislation? Do the poor common people of America indorse this legislation? Is it proposed in their interest? Is it meant and intended by the gentleman from California to promote their welfare and increase their sources of knowledge and their advantages for education? Certainly not. The interest of the common people is the last thought of Mr. RANDALL. He is more especially interested in protecting the daily newspaper, and I am against any such scheme or attempt on the part of any citizen of the United States to monopolize the reading matter of the Nation.

Mr. Speaker, I want to call the attention of the House to the fact that the printing organizations, composed of more than 150,000 members, are affiliated with the Union Label Trades Department of the American Federation of Labor, which is composed of more than 720,000 members, all of whom believe that injustice will be done them if this rider to this Post Office appropriation bill is adopted.

There are numerous organizations throughout the United States which have their own publications and their memberships are scattered broadcast throughout the entire land, and should this rider become a law, these organizations and their members will be deprived of their most-favored magazine or periodical. And, again, thousands of members of labor organizations and other organizations are subscribers to papers and magazines which are published hundreds of miles from their homes, and should this rider become a law, these workers will have to discontinue their subscriptions to this class of reading material as soon as their present subscriptions expire; and they will be deprived of this line of education and, no doubt, the publishers of these same publications will have to suspend or go out of business entirely, not only because of this rider but also for the reason of the high cost of news-print paper, which is forced upon the editors of this country by the grand old "Paper Trust," as reported by the Federal Trades Commission. Why does not the gentleman from California go after this Paper Trust and try to correct its wrong against the American people? Why wink at this evil and pass it by, when it is affecting every man, woman, and child in the United States who reads the newspapers, periodicals, journals, and magazines of the country. In fact, people in all walks of life are affected by this gigantic trust, and yet never a word, not even a murmur, is to be heard upon the floor of this House against this great outrage upon the American people.

There are about 12,659,203 people in the United States engaged in agriculture, according to the census of 1910. Every one of these people will be affected by this rider, directly or indirectly. There are engaged in manufacturing and mechanical pursuits and allied industries in the United States about 14,261,376 people. All of this class of people will be affected by this increased rate on second-class mail matter.

Mr. RANDALL. Will the gentleman yield again?

Mr. RICKETTS. I do.

Mr. RANDALL. I would like to ask the gentleman whether an amendment to the zone proposition of this nature would be satisfactory, provided that all publications regularly admitted as matter of the second class in which less than 25 per cent is devoted to paid advertising, whether reading notice or display, shall be subject to the rate of 1 cent per pound and no more? I may say to the gentleman that that would exclude 99 per cent of religious, fraternal, educational, scientific, and laboring press of the country from the operation of this zone bill, for they contain less than 25 per cent of advertising.

Mr. RICKETTS. In answer to the gentleman's question I want to say I favor the increase of the rate of postage on magazines advertising on a flat rate, but I do think that this subject is so important to the people of this Nation it ought not to be legislated or enacted into law in a paragraphic way. I think it ought to be brought into this House in a bill.

Mr. MOON. Will the gentleman yield?

Mr. RICKETTS. I will.

Mr. MOON. Does the gentleman know that about six solid months have been spent in the investigation of this matter heretofore, and that there have been Federal commissions investigating this subject, and that one just reported a short time ago, the chairman of that commission being the late Republican candidate for President, Mr. Hughes, and that they have, every one of them, advised an increase in the rate?

Mr. RICKETTS. I was not aware of that, I will say to the chairman of the committee.

Mr. MOON. It has been perhaps the best examined question that has become an issue before this body at any time.

Mr. RICKETTS. I have no doubt that some investigation has been carried on, and that the gentleman is correct as to some of the various commissions.

Mr. MOON. This committee, at a session some time ago, if you will get the hearing, had a very exhaustive examination of the whole question. It was examined by the department and then by the committee.

Mr. RICKETTS. As I understand it, notwithstanding the fact that various commissions have made various examinations about this matter, it has never been discussed by Members of this House, and, in my humble judgment, before any legislation is enacted here respecting as important a question as this, it ought to be discussed fully by all Members of this House, and not by any particular outside committee. [Applause.]

I have received telegrams from lodges in my district, different secret organizations, all objecting to this sort of legislation at this time, claiming that injury will be done these particular organizations, and opposing it.

The farmers of the country are reading the farm journals and gleanings from them the most modern methods of agriculture. They are seeking constantly to increase their vocational ability, but should this rider be enacted into law, a great many of them will have been shorn of the principle source of knowledge pertaining to their individual duties.

It is the province of these magazines, journals, and periodicals in the American homes to lessen the sources of social unrest among the masses. No other one thing contributes more largely to crime than idleness of body and mind. The minds of the American people are active and demand mental employment, and I am sure that many comforts are added to the firesides of our homes by these incoming periodicals. Why deprive our own dear people of these privileges, and that is what it means to pass this legislation, and I am against it.

The Post Office Department is self-sustaining. Then, why all this outcry about a loss of revenue to the Government? This department is meant and intended to be a great public utility for the use, benefit, and accommodation of the American people in the transmission of mails. Why, then, deprive the people of this great public service? There is no just or reasonable excuse for it. Why not let the present system of service, which is so satisfactory to all the people of the United States, remain as it is, which system has been a great benefactor in educating and enlightening generally the people of the country which we love so dearly? It is the policy of this Government and all our institutions to promote education in all lines, and in every available way, and to increase the facilities as the Nation progresses, so as to make the system more efficient and serviceable to all the people.

I am here inserting the items from which the revenue in the Post Office Department is obtained. During the fiscal year ending June 30, 1916, the Post Office Department received revenue from ordinary postal revenues, revenues from money-order business, and revenues from postal-savings business in the enormous sum of \$312,057,688.83.

The receipts are the largest in the history of the Government. The following table shows the growth of the Postal Service in the United States from the year 1800 up to the present time:

GROWTH OF POSTAL SERVICE.

Receipts and expenditures for certain years from 1800 to 1916.

Items.	1800	1810	1820	1830
Receipts.....	\$280,804	\$551,684	\$1,111,927	\$1,850,583
Expenditures.....	213,994	495,969	1,160,926	1,932,798
Excess of receipts.....	66,810	55,715		
Excess of expenditures.....			48,999	82,125

Items.	1840	1850	1860	1870
Receipts.....	\$4,543,522	\$5,499,964	\$8,518,067	\$19,772,221
Expenditures.....	4,718,236	5,212,953	19,170,610	23,988,837
Excess of receipts.....		287,031		
Excess of expenditures.....	174,714		10,652,543	4,226,616

Items.	1880	1890	1900	1904
Receipts.....	\$33,315,479	\$60,882,008	\$102,354,579	\$143,582,024
Expenditures.....	36,542,804	66,259,548	107,740,267	152,362,116
Excess of expenditures.....	3,227,325	5,377,450	5,385,688	8,779,492

Receipts and expenditures for certain years from 1800 to 1916—Contd.

Items.	1905	1906	1907	1908
Receipts.....	\$152,826,585	\$167,032,782	\$183,585,005	\$191,478,663
Expenditures.....	167,399,169	178,449,778	190,238,288	208,351,886
Excess of expenditures.....	14,572,584	10,516,996	6,653,283	10,873,223

Items.	1909	1910	1911	1912
Receipts.....	\$203,562,353	\$224,128,657	\$237,879,823	\$246,744,015
Expenditures.....	221,004,102	229,077,224	237,648,926	248,525,450
Excess of receipts.....	17,441,719	5,848,567		1,781,435
Excess of expenditures.....			230,897	

Items.	1913	1914	1915	1916
Receipts.....	\$266,619,525	\$287,934,565	\$287,248,165	\$312,057,688
Expenditures.....	262,067,541	283,543,769	298,546,026	287,248,165
Excess of receipts.....	4,551,984	4,390,796		24,809,523
Excess of expenditures.....			11,297,861	

ECONOMY.

This House has just passed a vocational education bill which carries with it an appropriation of \$500,000 for the fiscal year ending June 30, 1917; \$750,000 for the fiscal year 1918; \$1,000,000 for the fiscal year 1919; \$1,250,000 for the fiscal year 1920; \$1,500,000 for the fiscal year 1921; \$1,750,000 for the fiscal year 1922; \$2,000,000 for the fiscal year 1923; \$2,500,000 for the fiscal year 1924; and for the fiscal year ending June 30, 1925, and annually thereafter, the sum of \$3,000,000.

Now, why did the House of Representatives make this appropriation? Because it is conceded by all who participated in the discussion of this bill and those interested in the bill that it is a step on the part of the Federal Government taken for the purpose of advancing the vocational education of the boys and girls of our country, who are badly in need of further instruction and greater opportunities in vocational lines.

Is this House in one breath going to make appropriations such as this for the benefit of the youth of our country and in the next breath deprive them of the greatest educational advantages which could possibly be theirs to enjoy—that of the magazines, journals, and periodicals which are published throughout the United States, which contain a fund of wisdom on nearly all subjects in which the American people are interested?

Gentlemen of the House, I know not what you may do with reference to this matter, but, as far as I am personally concerned, I shall by my vote and influence oppose this legislation, because I firmly and honestly believe it to be absolutely and unequivocally wrong.

As a friend to the wage earners of the country, the farmers of the country, and men in all walks of life, whenever and wherever it is within my power so to do, I shall protect their interests and the interests of the common people. Abraham Lincoln once aptly said, "God must have loved the common people; if He had not, He would not have made so many of them." [Applause.]

Mr. Chairman, I desire to adopt as a portion of my address to this House a poem written by Berton Braley expressly for the Coal Age, which so aptly and correctly describes this rider and its author. It is as follows:

PROFITS ÜBER ALLES.

[By Berton Braley, written expressly for Coal Age.]

Now this is the story of RANDALL, the Solon from out of the West,
Who said to the wise men of Congress, "My brethren, methinks it is best
To start a new system of postage; the second-class rate is too low——"
"Let's cut out the franking!" said some one, but RANDALL protested,
"Oh, no!
The frank is a privilege precious, forever fulfilling our needs
For sending out unspoken speeches, and mailing quintillions of seeds,
We can not afford to forego it; but I have a far better way
To add to the Government's profits and help make the post office pay——"
"I know," cried a Congressman, loudly, "your meaning is plain as can be.
You want to abolish the practice of sending the newspapers free
Which don't go outside of their county—believe me, I'm with you, old scout.
It's really a graft most expensive, I'll aid you in cutting it out.
To cease such a species of outlay will save quite a bundle of pelf——"
"I don't want to stop it," said RANDALL, "I run such a paper myself!
My plan is far simpler and cuter," he added in confident tones,
"We'll just soak the magazines harder by slicing the country in zones
And piling on postage for distance clear up to 6 pennies a pound,
Thus gaining some millions of dollars for Congress to scatter around
In post-office buildings for Podunk—large buildings of costly design—
Or free distribution of papers—such papers, for instance, as mine."

"We'd drive many magazines bankrupt, we'd double the price of the rest, we'd gather a tribute most heavy from people who live in the West. We'd stir up old sectional feelings, on knowledge we'd levy a tax. The publishing business would get it where chickens are given the ax. But what do such little things matter? It's 'cash money' profits that count."

The people can go without reading if only the postal rates mount. The technical journals can wither, the magazines all fade away. That won't hurt my small county paper—so up with the postage, I say!"

Now this is the story of RANDALL, the Solon from out of the West. And this is the innermost meaning of what he has tried to suggest. He may not have said what is quoted, but if his new law is put through the words we have rimingly noted will prove to be direfully true; The spread of instruction is threatened, and if you don't want to allow This drag on the progress of knowledge, just write to your Congressman, Now!

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUSTIN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MOON. Mr. Chairman, permission has been given in the House to everybody to extend remarks.

The Clerk read as follows:

SEC. 6. That section 213 of act of March 4, 1909 (Criminal Code), be and is amended so as to read as follows:

"No letter, package, postal card, or circular concerning any lottery, gift enterprise, or scheme of any kind, offering prizes dependent in whole or in part upon lot or chance, or other contingency, or concerning any article, device, or thing designed or intended for the conduct of such lottery enterprise or scheme; and no lottery ticket or part thereof, or paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or other contingency, and no article, device, or thing designed or intended for the conduct of such lottery enterprise or scheme, or matter relating thereto; and no check, draft, bill, money, postal note, or money order, for the purchase of any ticket or part thereof, or of any share or chance in any such lottery, gift enterprise, or scheme; and no newspaper, circular, pamphlet, or publication of any kind containing any advertisement of any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or other contingency, or containing any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes, or containing any advertisement of any article, device, or thing designed or intended for the conduct of such lottery enterprise or scheme, shall be deposited in or carried by the mails of the United States or be delivered by any postmaster or letter carrier. Whoever shall knowingly deposit or cause to be deposited, or shall knowingly send or cause to be sent, anything to be conveyed or delivered by mail in violation of the provisions of this section, or shall knowingly deliver or cause to be delivered by mail anything herein forbidden to be carried by mail, shall be fined not more than \$1,000, or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than five years. Any person violating any provision of this section may be tried and punished either in the district in which the unlawful matter or publication was mailed, or to which it was carried by mail for delivery according to the direction thereon, or in which it was caused to be delivered by mail to the person to whom it was addressed."

Mr. BENNET. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from Tennessee a question.

Mr. MOORE of Pennsylvania. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. MOON. A point of order has been reserved, and I want to ask the gentleman if it is his intention to make it final or reserve it for debate?

Mr. MOORE of Pennsylvania. I reserve the point of order to ascertain whether it should be made. If those who use the mail merely to send through tickets for articles to be chanced off without fraudulent intent are to be imprisoned, it seems to me we should consider it. It is different from the other paragraph.

Mr. MOON. The general law would require intent of fraud to be done before there would be conviction. Intent actuates the man. If it was done innocently, you could not punish him for it.

Mr. William H. Lamar, Solicitor for the Post Office Department, says:

The changes in section 3929 were made primarily to make the statute that the Post Office Department had the administration of conform to the criminal statutes as found in section 213 of the Criminal Code with respect to lotteries, and section 215 with respect to fraud. Sections 3929 and 4041 are statutes which authorize the department to issue fraud orders and lottery orders and stop the use of the mails, while the other two sections, 213 and 215, are criminal statutes which are administered through the district offices. The changes which have been made in section 3929 broaden the effect of that statute with reference to the offering of prizes dependent in whole or in part upon lot or chance. The language is made broader than the present act by inserting the words "or other contingency."

Now, that is a statement from Mr. Lamar in reference to the scope of these statutes generally. I refer the gentleman to the examination of those pages, if he wants to do so. It broadens the scope and authority of the present law.

Mr. STAFFORD. If the gentleman from New York desires the exact change, the additions that have been added to section 6 are the following:

In line 9, page 31, after the word "chance," the following is new language: "or other contingency, or concerning any article, device, or thing designed or intended for the conduct of such lottery enterprise or scheme."

And in line 15, before the word "scheme," add the word "similar," and after the word "scheme" add the words "of any kind."

Line 16, after the word "chance," the following is new language: "or other contingency, and no article, device, or thing designed or intended for the conduct of such lottery, enterprise, or scheme, or matter relating thereto"; and on page 32, line 1, after the word "chance," the words "or other contingency" are added. And in line 4, same page, after the word "prizes," the following language is added: "or containing any advertisement of any article, device, or thing designed or intended for the conduct of such lottery enterprise or scheme."

Mr. MOON. I was reading to the gentleman from the statement of Gen. Lamar. He covers the whole matter. It is simply broadening the statute along that line.

Mr. MADDEN. It is intended to stop the shipment of slot machines.

Mr. MOORE of Pennsylvania. Under this paragraph would a club or a church which organized a game of chance and sent tickets through the mail become punishable, or an individual or committee become punishable by fine or imprisonment?

Mr. BENNET. By reason of the additional language?

Mr. MOORE of Pennsylvania. Yes.

Mr. MADDEN. This is the law, except as to where it is amended, and that is only intended to stop the shipment of slot machines.

The CHAIRMAN. Does the gentleman withdraw his reservation of a point of order?

Mr. MOORE of Pennsylvania. I do.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 8. That section 217 of the Penal Code be and is amended so as to read as follows:

"All kinds of poison, and all articles and compositions containing poison, and all poisonous animals, insects, and reptiles, and explosives of all kinds, and inflammable materials, and infernal machines, and mechanical, chemical, or other devices or compositions which may ignite or explode, and all disease germs or scabs, and all other natural or artificial articles, compositions, or materials, of whatever kind, which may kill or in anywise hurt, harm, or injure another or damage, deface, or otherwise injure the mails or other property, whether sealed as first-class matter or not, are hereby declared to be nonmailable matter, and shall not be conveyed in the mails or delivered from any post office or station thereof, nor by any letter carrier; but the Postmaster General may permit the transmission in the mails, under such rules and regulations as he shall prescribe, of any articles hereinbefore described which are not outwardly or of their own force dangerous or injurious to life, health, or property: *Provided*, That all spirituous, vinous, malted, fermented, or other intoxicating liquors of any kind are hereby declared to be nonmailable, and shall not be deposited in or carried through the mails. Whoever shall knowingly deposit or cause to be deposited for mailing or delivery, or shall knowingly cause to be delivered by mail, according to the direction thereon or at any place at which it is directed to be delivered by the person to whom it is addressed, anything declared by this section to be nonmailable, unless in accordance with the rules and regulations hereby authorized to be prescribed by the Postmaster General, shall be fined not more than \$1,000 or imprisoned not more than two years, or both; and whoever shall knowingly deposit or cause to be deposited for mailing or delivery, or shall knowingly cause to be delivered by mail, according to the direction thereon or at any place to which it is directed to be delivered by the person to whom it is addressed, anything declared by this section to be nonmailable, whether transmitted in accordance with the rules and regulations authorized to be prescribed by the Postmaster General or not, with the design, intent, or purpose to kill or in anywise hurt, harm, or injure another, or damage, deface, or otherwise injure the mails or other property, shall be fined not more than \$5,000 or imprisoned not more than 10 years, or both."

Mr. BENNET. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman of the committee a question.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. MOORE of Pennsylvania. I reserve a point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Pennsylvania reserves a point of order.

Mr. BENNET. May I inquire what the changes are?

Mr. MOORE of Pennsylvania. Before withdrawing the point of order I want to find out whether it will prevent a physician's prescription from going through the mails—the first two lines there relate to a percentage of poison. That might apply to medicine.

Mr. MANN. The only thing this section does is to amend the law with reference to the regulations made by the Postmaster General by leaving out the language "as to preparation and packing." That is all it does.

Mr. MOON. It is all the law now.

Mr. MANN. The Postmaster General is now authorized to authorize the transmission through the mails of these physician's prescriptions, and so forth, by making regulations as to the preparation and packing. With that preparation and packing left out, he has the authority to make the regulations, and the result of that is that all of these articles will be permitted to go through the mails.

Mr. MOORE of Pennsylvania. That would permit the transmission through the mails of articles that contain only a percentage of poison used for medical purposes?

Mr. MANN. Certainly.

Mr. BENNET. It broadens the discretion of the Postmaster General as to the regulations.

Mr. MANN. It does not require him to make regulations as to the preparation of the article.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

Mr. MOORE of Pennsylvania. In view of the explanation that has been made, I will withdraw the point of order, Mr. Chairman.

Mr. STAFFORD. I renew the point of order. I have no objection to this paragraph being passed as it is, but if it is going to be used as a vehicle for tagging on some prohibition amendment I will make the point of order, so that the committee can finish the consideration of the bill to-night.

Mr. MOON. I do not think anything of that kind will be done.

Mr. RANDALL. Does the gentleman propose to make the point of order?

Mr. STAFFORD. If the gentleman from California proposes to offer a prohibition amendment, I will make the point of order.

Mr. RANDALL. Then I will make the point of order myself.

The CHAIRMAN. The gentleman from California makes the point of order. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Sec. 9. That on and after July 1, 1917, drop or local letters shall be mailed and pay postage at the rate of 1 cent per ounce or a fraction thereof, including delivery at letter-carrying offices and on rural routes where mailed.

Mr. MOON. Mr. Chairman, I ask unanimous consent that section 9 be passed over until we shall have disposed of section 10.

The CHAIRMAN. Without objection, the request of the gentleman from Tennessee—

Mr. STAFFORD. I object, Mr. Chairman.

Mr. MOORE of Pennsylvania. What was that?

Mr. MOON. I want to be perfectly candid with the gentlemen, Mr. Chairman, and unless we pass section 10 in some shape we will not have any money to carry out the provisions in section 9. There will be no use in passing it.

Mr. MADDEN. I wish to say, Mr. Chairman, that I will make a point of order against section 10 when we reach it.

The CHAIRMAN. The Chair will state the request. The chairman of the committee asks unanimous consent that section 9 be passed over until section 10 shall have been disposed of. Is there objection?

Mr. JOHNSON of Washington. I object.

The CHAIRMAN. The gentleman from Washington objects.

Mr. MOON. The gentleman can make a point of order against section 9.

The CHAIRMAN. Section 9 has not been read. The Chair will direct the Clerk to read it.

The Clerk read as follows:

Sec. 9. That on and after July 1, 1917, drop or local letters shall be mailed and pay postage at the rate of 1 cent per ounce or a fraction thereof, including delivery at letter-carrying offices and on rural routes where mailed.

Mr. FIELDS. Mr. Chairman, I reserve a point of order on that.

Mr. RANDALL. I make a point of order on it.

The CHAIRMAN. The point of order is sustained.

Mr. COX. Mr. Chairman, at that point I wish to print in the Record a letter from Postmaster General Burleson as to how much revenue the Government will lose if section 9 becomes a law. It is \$27,000,000. I ask leave to insert it in the Record.

The CHAIRMAN. Is there objection?

Mr. MANN. I shall not object; but I do not think the opinion of the Postmaster General is worth anything at all. He comes from a country town, and does not know anything about the delivery of city mail. In fact, I think it would increase the revenue, and any man who comes from a city would believe that.

Mr. COX. If the gentleman will read that letter, he will find out that it is based on facts and investigation.

Mr. MANN. It can not be based on facts. It is based on imagination.

Mr. COX. No; it is based on facts.

The CHAIRMAN. The Chair must admonish gentlemen to observe the rules of the House. The gentleman from Indiana [Mr. Cox] asks unanimous consent to extend his remarks in the Record. Is there objection?

Mr. STEENERSON. Reserving the right to object—

Mr. MOORE of Pennsylvania. Reserving the right to object—

Mr. FARR. Reserving the right to object—

Mr. STEENERSON. Mr. Chairman, I should like to ask the gentleman from Indiana a question. Is it not a fact that recently the chairman of the Post Office Committee expressed the opinion that this provision in regard to drop-letter postage, if put into operation, might be self-sustaining?

Mr. COX. I do not know what the chairman of the Post Office Committee said.

Mr. STEENERSON. I understood him to state that.

Mr. LONGWORTH. He said there might be a loss of three or four million dollars the first year and that it would be self-sustaining after that.

Mr. STEENERSON. I think the chairman of the Post Office Committee is a very much better authority on postal matters than is the Postmaster General.

Mr. COX. The gentleman will find, if he will read that letter, that the Postmaster General states that the probable loss of revenue would be approximately \$27,000,000, and he undoubtedly knows what he is talking about.

Mr. FARR. I want to ask the gentleman by what means the Postmaster General discovered that there would be such a deficit?

Mr. COX. By investigation.

Mr. FARR. What kind of an investigation?

Mr. COX. By taking an account of the drop letters at 50 of the large post offices in the United States for a certain period of time.

Mr. FARR. When was this done?

Mr. COX. During 1914.

Mr. FARR. How does the gentleman account for the discrepancy between these two gentlemen, the chairman of the Post Office Committee [Mr. Moon] and Postmaster General Burleson, as to the amount of this loss?

Mr. COX. I can not account for the discrepancy.

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. The regular order is, Is there objection to the request of the gentleman from Indiana?

Mr. EMERSON. Reserving the right to object—

The CHAIRMAN. The regular order has been demanded. The regular order is, Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none, and it is so ordered.

The following is the letter referred to.

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., December 9, 1916.

Hon. W. E. Cox.

House of Representatives, Washington, D. C.

MY DEAR MR. COX: In response to that part of your recent letter regarding the effect which a reduction to 1 cent an ounce or fraction thereof in the rate of postage on letters mailed for local delivery would have on postal revenues, I have to say that an estimate based on mailings of letters deposited for local delivery at city letter-carrier offices during the week ended October 7, 1914, shows that the probable loss of revenue on letters mailed for local delivery at such offices during the year embracing the week referred to, if such rate had been in effect during that year, would have been approximately \$27,581,608. For your further information I inclose a copy of a memorandum embodying the estimate.

The estimate requested by you as to the effect on the postal revenues of the enactment into law of House bill 16145, introduced by Representative RANDALL May 31, 1916, providing for the zone system of postage rates for second-class matter, and also with respect to the fixing of the third-class rate of postage for catalogues and similar publications, will follow at an early date.

Yours, very truly,

A. S. BURLESON.

MEMORANDUM ON 1-CENT LETTER POSTAGE.

The period covered by the following statistics is the week of October 1 to 7, 1914:

The postage on letters mailed for local delivery at the 55 largest post offices for the week was.....	\$790, 898. 71
Reports from 1,725 of the 1,759 city-delivery offices, including the 55 largest offices, show that the number of letters deposited for local delivery for the week amount to.....	51, 604. 967
The postage on these letters was.....	\$1, 000. 831. 49
Computing for a year on the basis above given, the loss of revenue which would result from the reduction of 1 cent an ounce on drop letters would be (while 34 of the 1,759 city-delivery offices are not included in the above statistics, it is believed that the estimated loss per year would be not less than \$25,000,000. To confine the estimate to offices having gross postal receipts of as much as \$100,000 the annual loss would be \$24,000,000).....	\$27, 581, 608. 00

The Clerk read as follows:

SEC. 10. That on and after June 30, 1917, all newspapers, magazines, and other publications regularly admitted to the mails as matter of the second class when mailed by the publisher shall hereafter be subject to the following rates of postage, the zone system now applying to parcel-post matter to be adapted also to second-class matter:

Local, first, second, and third zones (under 300 miles), 1 cent per pound.

Fourth zone (300 to 600 miles), 2 cents per pound.

Fifth zone (600 to 1,000 miles), 3 cents per pound.

Sixth zone (1,000 to 1,400 miles), 4 cents per pound.

Seventh zone (1,400 to 1,800 miles), 5 cents per pound.

Eighth zone (over 1,800 miles), 6 cents per pound.

Provided, That free-in-county circulation provided by law shall continue as at present: And provided further, That the Postmaster General may hereafter require publisher to separate or "make-up" to zones, or in such manner as may be directed, all matter of the second class when offered for mailing.

Mr. JOHNSON of Washington. I make a point of order against the section.

Mr. CAMPBELL. I make a point of order against the section. [Several other Members made the same point of order.]

Mr. MOON. Mr. Chairman, I make a point of order on this section myself, because the other section went out, and because everybody over there on that side seems to want to make a point of order. We will take up this matter in some other shape, gentlemen, and give you an opportunity to consider it.

The CHAIRMAN. The Chair sustains the point of order.

Mr. JOHNSON of Washington. We desire to thank the gentleman from Tennessee for making the point of order.

The Clerk read as follows:

SEC. 11. That hereafter catalogues and similar publications shall be classified as third-class mail matter and pay postage as such.

Mr. LEWIS. Mr. Chairman, I make a point of order on that.

Mr. MOON. The point of order is well taken.

The CHAIRMAN. The point of order is sustained.

Mr. STEENERSON. I should like to ask the gentleman to reserve the point.

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. The point of order was made, and the Chair has sustained it.

Mr. MOON. Mr. Chairman, I have two or three amendments that I desire to offer. I will state in advance that each one of them is subject to a point of order. Still, I think I will give gentlemen an opportunity to take such course as they see fit.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Add at the end of the bill the following as a new section:

"The Postmaster General may, under such rules and regulations as he shall prescribe, when the senders of mail matter so desire, accept for mailing the replies thereto without the prepayment of postage thereon, and collect from the addressees at the time of delivery postage at the regular rates and 50 per cent in addition thereto."

Mr. STAFFORD. Mr. Chairman, this amendment has been under consideration many times in the Post Office Committee. It is fathered by the gentleman from Missouri [Mr. LLOYD], and I do not think any objection can be raised to it by anyone who is acquainted with the facts. I yield to the gentleman from Missouri [Mr. LLOYD].

Mr. MADDEN. Let us take a vote on it.

Mr. LLOYD. Mr. Chairman, let us have a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. MOON].

The amendment was agreed to.

Mr. MOON. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Add at the end of the bill the following as a new section:

"That the Postmaster General, in cooperation with the State highway department of each State, shall designate the roads to be constructed in conformity with the provisions of the act of July 11, 1916, and that the Secretary of Agriculture shall approve the plans, specifications, and estimates for any project determined upon by the Postmaster General and the State highway department. The construction, work, and labor in each State shall be performed in accordance with its laws and under the direct supervision of the State highway department, subject to the inspection and approval of the Secretary of Agriculture."

Mr. MANN. I make the point of order.

Mr. MOON. Will the gentleman withhold it a minute?

Mr. MANN. I will.

Mr. MOON. I want to state that the purpose is to enable the designation of roads in conformity with the power under the Constitution and laws that belong to the Post Office Department, and not to the Agricultural Department, and to prevent, if possible, by the designation by that department of those interested alone in the establishment of post roads. The designation of the roads will be for the benefit of the Postal Service.

Mr. MANN. It looked to me as if it was a good amendment when I heard it read, but it ought to come from the Committee on Roads. They ought to consider it.

Mr. MOON. It ought to be so that the money will not be expended all upon automobile roads of the country, but upon the rural post roads.

Mr. MANN. I make the point of order.

Mr. MOON. I concede that it is subject to a point of order.

The CHAIRMAN. The point of order is sustained.

Mr. MOON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

And the Postmaster General is hereby directed to report to Congress the amount paid by his department and other departments of the Government, including the Commissioners of the District of Columbia, for telephone service, and the number of messages, and also the money that would be saved to the Government, and the practicability and probable cost of the purchase of the existing telephone system of the District of Columbia under the power of eminent domain, to be operated by the Post Office Department.

Mr. MADDEN. Mr. Chairman, I make a point of order to that.

Mr. MOON. The point of order is well taken. I simply wanted to see where gentlemen stand.

The CHAIRMAN. The point of order is sustained.

Mr. LEWIS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Add as a new section the following:

"The sum of \$100,000, or so much thereof as may be necessary, is hereby appropriated to enable the Postmaster General to proceed to execute the objects of section 3 of the act of Congress approved July 24, 1866, providing for the inauguration of telegraphic service for postal, military, and other purposes, and for the appraisal of the properties therein mentioned; and if in carrying out such objects of said act he shall find that it conduces to a reduction of the expenditure herein authorized he may use any telephone lines for telegraphic purposes; and it shall be the duty of the owners thereof to render and permit such service on such lines as he may require, for which they shall be entitled to just compensation, the amount whereof, in case of dispute, to be determined by the Interstate Commerce Commission."

Mr. MADDEN. Mr. Chairman, I make a point of order to the amendment.

Mr. LEWIS. The point of order, Mr. Chairman, may not lie.

The CHAIRMAN. The Chair will hear the gentleman from Maryland.

Mr. LEWIS. The act approved July 24, 1866, gives certain rights over post roads for telegraph lines of the country, and provides:

Provided further, That the United States may at any time after the expiration of five years from the date of the passage of this act for postal, military, or other purposes, purchase all the telegraph lines, property, and effects of any or all of said companies at an appraised value to be ascertained by five competent disinterested persons, two of whom shall be selected by the Postmaster General of the United States, two by the company interested, and one by the four so previously selected.

The amendment offered merely directs the execution of the existing law on the part of the Postmaster General and provides the funds with which he may do so, to wit, \$100,000. In my view of the rules it is therefore not liable to a point of order, because it is not new legislation. I send to the desk the statute itself.

I have in mind a case in the reports of the proceedings of this House some years ago that seems to be in point. I do not recall the reference, but I do recall broadly the characterizing facts. A former statute authorized the existence of a mint in one of the cities in the Southern States—I think perhaps New Orleans, although I am not certain as to that. An appropriation was urged in the manner this appropriation is being urged, for the equipment of the mint and the provision of salaries for officials therein. It was held by the Speaker then presiding that the appropriation was in order, since it merely complied with existing law.

Mr. MADDEN. Mr. Chairman, I do not pretend to know what the law of 1866 is, but at any rate I recall this much of the reading of the law, that it provides for the determination of this question by a committee of disinterested citizens. But the gentleman's proposition provides for an adjustment of the price, to be made by the Interstate Commerce Commission, which was not a part of the law.

Mr. LEWIS. Mr. Chairman, the gentleman is in error as to that. That is an incident. The amendment proposes that the Postmaster General shall go ahead and execute the law by appointing his appraisers and giving notice—doing whatever is necessary to effectuate the law.

Mr. MADDEN. Then the gentleman proposes by his amendment to authorize the Postmaster General later on to take over these properties, which means the expenditure of an enormous sum of money that nobody knows anything whatever about?

Mr. LEWIS. He can not do that unless the Congress later so directs.

Mr. MADDEN. And it seems to me that an important question of this sort, regardless of what the law may be, ought to be considered in an orderly way, and ought not to be forced

upon the House of Representatives at this late hour in the week at the end of the consideration of an important bill without any consideration whatever.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. FESS. How could a law of 1866 deal with telephones that were not invented until 12 years later?

Mr. LEWIS. Mr. Chairman, I would say that the highest court in Great Britain has determined that the telegraph is the same as the telephone; both messages go over the same wire at the same moment, and they are used in that way throughout the world. There is no difference between the telegraph and the telephone wire, in law or mechanics.

Mr. MADDEN. But the gentleman from Maryland must be willing to concede that the question is of too great importance to be considered in such a slipshod way as this is proposed to be considered, that we ought to have time for discussion and investigation of the proposition before us.

Mr. LEWIS. Oh, there will be plenty of time for discussion. Moreover, this merely means that the Postmaster General shall act under this law.

Mr. MADDEN. I know, but it means that we are to act as a lot of automatons and turn over to the Postmaster General the consideration of a great question, that may involve the expenditure of hundreds of millions of dollars, without having any right whatever to give consideration to the merits of the matter that we turn over to him.

Mr. LEWIS. It does not mean that at all. He has got to report. He can not spend any money except that authorized in the amendment, and the value of the gentleman's point, it seems to me, is tested by what happened a moment ago. He objected to the amendment offered by the gentleman from Tennessee [Mr. Moon], which merely directed the Postmaster General to report the facts on a like matter of small financial proportions. I think I understand the reasons for the gentleman's objecting to this amendment.

Mr. MADDEN. Oh, I am frank to say to the gentleman that I am opposed to Government ownership, if that is what he means.

Mr. LEWIS. That is what I mean.

Mr. MADDEN. I am very frank to say that.

Mr. LEWIS. And I think no amount of discussion would change the gentleman's views.

Mr. MADDEN. Aside from that, I believe in going at a thing in an orderly way, and I do not believe the membership ought to be asked to vote upon something they have had no opportunity to consider.

Mr. FESS. Mr. Chairman, just one observation. The law in question here was enacted in 1866. The thing with which the law dealt was the telegraph. The telephone did not exist at that time and was not in existence until 12 years later. The amendment proposes to deal with a thing that did not exist through an agency, the Interstate Commerce Commission, which did not exist until 1887, nearly 20 years after that; and I do not see how these two subjects can be dealt with in accordance with the law that was passed when there was no conception of the two agencies referred to when it was enacted.

The CHAIRMAN. The Chair realizes the importance of the proposition, and the Chair, of course, has not had an opportunity to give it that thought and care which the Chair would like to give.

Mr. LEWIS. I have no objection to deferring the matter until the Chair can give it that consideration. Let the matter go over until some later date.

The CHAIRMAN. It is up to the Chair to rule now.

Mr. LEWIS. I am not demanding that a ruling be made at this time.

The CHAIRMAN. The Chair understands, but the Chair does not care to delay public business himself, and he prefers to rule upon the question now rather than to delay the public business by having it go over. Section 3 of the act of 1866 provides that the Government after five years may purchase certain telegraphic companies. The amendment offered provides an appropriation for the purpose of investigating and appraising the values and to enable the Postmaster General to determine whether or not expenses can be reduced by the purchase. The Chair does not think that carries out the act of 1866. The Chair thinks it adds legislation to it, and therefore the Chair sustains the point of order.

Mr. LEWIS. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add at the end of the bill the following as a new section:

"The sum of \$50,000, or so much thereof as may be necessary, is hereby appropriated to enable the Postmaster General to execute the provisions of section 3 of the act of Congress, approved July 24, 1866,

to appraise, for postal, military, and other purposes, the lines, property, and effects of the telegraph companies subject to said act; and the Postmaster General is hereby directed to report the result of such appraisal to Congress on the first Monday in January, 1918."

Mr. MADDEN. Mr. Chairman, I make a point of order against that.

The CHAIRMAN. Does the gentleman desire to be heard?

Mr. LEWIS. I simply desire to say it is free from the objection of the introduction of any new matter.

The CHAIRMAN. The Chair sustains the point of order.

Mr. LEWIS. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add at the end of the bill the following as a new section:

"Provided, That the Postmaster General is hereby directed to carry out the provisions of the third section of the act of Congress approved July 24, 1866, and proceed to appraise the lines, property, and effects of the telegraph companies subject to the said act, and to submit his report thereupon to the Congress on or before the first Monday in January, 1918."

Mr. MADDEN. Mr. Chairman, I make the point of order against it.

Mr. LEWIS. Mr. Chairman, I suggest that this amendment does not change existing law but simply directs an official to carry into actual effect existing law by taking the steps designed and implied in the act of 1866. If the Chair has familiarized himself with section 3 and the proviso he will recall the applicability of this amendment to the proviso and its complete nonrelation to any fact or circumstance not set forth in the proviso by expression or by implication. It may be this or it may be that, but it is not new legislation.

Mr. MANN. Will the gentleman yield for a question?

Mr. LEWIS. Surely.

Mr. MANN. Is the Postmaster General authorized now under the act of 1866 to do the things that are directed to be done by this amendment?

Mr. LEWIS. If he is, then the amendment is not new legislation.

Mr. MANN. Well, is he authorized?

Mr. LEWIS. If he is, then this is not new legislation.

Mr. MANN. But the gentleman does not answer the question.

Mr. LEWIS. I am answering the question.

Mr. MANN. The gentleman is not answering the question at all. I asked the gentleman whether the act of 1866 authorizes the Postmaster General to do the things which this directs him to do.

Mr. LEWIS. I think perhaps that argument would be more relevant to the previous amendment that provides some funds for the doing of things he is authorized to do.

Mr. MANN. Well, the gentleman is still evading an answer.

The CHAIRMAN. The Chair is ready to rule.

Mr. MADDEN. Mr. Chairman, I wish to say, for the information of the Chair, that the section of the law quoted by the gentleman from Maryland is permissive. The amendment offered by the gentleman from Maryland is mandatory. Even if he had the power under the law this amendment changes the law.

The CHAIRMAN. In the opinion of the Chair the amendment in question directs the Postmaster General to do something that now under the law he is not authorized to do; that it adds legislation, and therefore the Chair sustains the point of order. The Chair asks the indulgence of the committee for a moment. Earlier this afternoon the gentleman from Minnesota [Mr. VAN DYKE] offered an amendment to page 18 of the bill, and the Chair sustained the point of order to it. Mr. VAN DYKE would like to argue the point of order to the Chair, and the Chair asks the committee if it is willing to open up the proposition and allow the Chair to vacate his decision and hear from the gentleman from Minnesota on the point of order?

Mr. MOON. Mr. Chairman, I will have to object; I can not go back in this bill. Mr. Chairman, I move the committee do now rise and the Chairman be instructed to report this bill to the House with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. STEENERSON. Mr. Chairman, pending that I would like to ask the chairman of the committee whether or not the Committee on the Post Office and Post Roads did not direct a report on the 5 and 10 per cent increase in salary?

Mr. MOON. It was presented to the House and stricken out on a point of order, like the others.

The CHAIRMAN. The gentleman from Tennessee moves that the committee do now rise and report the bill to the House.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that com-

mittee had had under consideration the bill H. R. 19410, the Post Office appropriation bill, and had instructed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. MOON. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

Mr. MANN. Will the gentleman yield for a moment there?

Mr. MOON. Yes.

Mr. MANN. I take it if the previous question is ordered now without anything further, the vote on the bill and amendments would come Tuesday morning? I think we have that understanding.

Mr. MOON. Mr. Speaker, I ask unanimous consent that after the previous question is ordered that the vote be postponed.

Mr. MANN. Suppose you ask it first. Nobody will oppose the previous question.

Mr. MOON. Mr. Speaker, I ask unanimous consent that after the previous question is ordered upon this bill and amendments the vote be taken on Tuesday morning next.

The SPEAKER. The gentleman from Tennessee [Mr. Moon] asks unanimous consent that after the previous question is ordered the voting on the bill be postponed until Tuesday morning. Is there objection? [After a pause.] The Chair hears none. The question is on ordering the previous question on the bill and amendments to final passage.

The previous question was ordered.

Mr. MOON. Mr. Speaker, I will ask for a separate vote in the House on the amendment on the pneumatic-tube proposition.

Mr. MANN. That will come up Tuesday.

IMMIGRATION.

Mr. BURNETT. Mr. Speaker, I desire to present the conference report on the bill H. R. 10384, "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," for printing in the Record under the rule, and I desire to give notice that I will call it up immediately after the vote on the Post Office bill on Tuesday next.

The SPEAKER. The gentleman from Alabama presents a conference report on the bill H. R. 10384, which the Clerk will report.

The Clerk read as follows:

H. R. 10384. An act to regulate the immigration of aliens to, and the residence of aliens in, the United States.

The SPEAKER. The report is ordered printed under the rules, and the gentleman gives notice that on Tuesday, after the vote on the Post Office bill, he will call it up.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 1093. An act for the relief of James Anderson.

H. R. 10007. An act for the relief of William H. Woods.

EXTENSION OF REMARKS.

Mr. CURRY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. On what subject?

Mr. CURRY. On the subject of the Mississippi and Sacramento flood-control bill.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the Record on the subject of the flood control of the Mississippi and Sacramento Rivers. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. MANN. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The Chair will count.

Mr. MOON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 43 minutes p. m.) the House adjourned until Monday, January 15, 1917, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the chairman of the executive committee of the National Advisory Committee for Aeronautics submitting an estimate of appropriation for the establishment and maintenance of special aerological stations (H. Doc. No.

1928); to the Committee on Agriculture and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Navy submitting a supplemental estimate of appropriation required for the Naval Establishment for the fiscal year ending June 30, 1916 (H. Doc. No. 1929); to the Committee on Naval Affairs and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Navy submitting additional estimates of appropriations required by the Navy Department for the service of the fiscal year 1918 (H. Doc. No. 1930); to the Committee on Naval Affairs and ordered to be printed.

4. A letter from the Secretary of the Interior, transmitting a report on land withdrawals from settlement, location, sale, or entry (S. Doc. No. 677); to the Committee on the Public Lands and ordered to be printed.

5. A letter from the president of the Chesapeake & Potomac Telephone Co., transmitting a report on the Chesapeake & Potomac Telephone Co. to the Congress of the United States for the year 1916 (H. Doc. No. 1931); to the Committee on the District of Columbia and ordered to be printed.

6. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of mouth of Snake River and Nome Harbor, Alaska (H. Doc. No. 1932); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

7. A letter from Hamilton & Hamilton, attorneys, Washington, D. C., transmitting annual report of the Georgetown Barge, Dock, Elevator & Railway Co. (H. Doc. No. 1933); to the Committee on the District of Columbia and ordered to be printed.

8. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Savannah River at and above Augusta, Ga. (H. Doc. No. 1934); to the Committee on Rivers and Harbors and ordered to be printed.

9. A letter from the Secretary of War, transmitting a suggested amendment to be incorporated into the urgent deficiency bill (H. Doc. No. 1935); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Acting Secretary of Commerce, transmitting claims for damages caused by agencies of the Coast and Geodetic Survey in connection with the regular work of the survey (H. Doc. No. 1936); to the Committee on Claims and ordered to be printed.

11. A letter from the Secretary of War, transmitting estimates submitted by the Chief of Engineers for payment of claims against the United States (H. Doc. No. 1937); to the Committee on Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CARTER of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (H. R. 13166) authorizing the Commissioner of Indian Affairs to transfer fractional block 6 of Naylor's addition, Forest Grove, Oreg., to the Department of Agriculture for the use of the Bureau of Entomology, reported the same with amendment, accompanied by a report (No. 1290), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SPARKMAN: A bill (H. R. 20079) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. FLOOD: A bill (H. R. 20080) to give effect to the convention between the United States and Great Britain for the protection of migratory birds, the ratifications whereof were exchanged on the 7th day of December, 1916, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HUDDLESTON: A bill (H. R. 20081) for the control and regulation of the waters of Niagara River, to provide for diversions therefrom, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ALEXANDER: A bill (H. R. 20082) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914; to the Committee on Interstate and Foreign Commerce.

By Mr. OVERMYER: A bill (H. R. 20083) to provide for the erection of a memorial chapel to Maj. Gen. James B. McPherson; to the Committee on the Library.

By Mr. PRATT: A bill (H. R. 20084) granting age and service pensions to soldiers and sailors who answered the first call for volunteers in the Civil War, and granting an increase of pension to such soldiers and sailors who were wounded or who contracted disease or disability in battle or line of duty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20085) to increase the pensions of widows of officers and enlisted men of the Army, Navy, or Marine Corps who were the lawful wives of such officers and enlisted men during their service in the Civil War and have not been separated or divorced from such officers and enlisted men; to the Committee on Invalid Pensions.

By Mr. ELLSWORTH: A bill (H. R. 20086) authorizing the Chippewa Indians in the State of Minnesota to submit claims to the Court of Claims; to the Committee on Claims.

By Mr. CANTRILL: Resolution (H. Res. 444) authorizing the payment of \$1,200 to G. D. Ellis, for extra and expert services rendered in the office of the Clerk of the House of Representatives during the first and second sessions of the Sixty-fourth Congress; to the Committee on Accounts.

By Mr. AYRES: Resolution (H. Res. 445) to consider an amendment to H. R. 19410; to the Committee on Rules.

By Mr. CARY: Joint resolution (H. J. Res. 337) warning American citizens from taking passage or employment on board of vessels of belligerent registry; to the Committee on Foreign Affairs.

By Mr. BYRNES of South Carolina: Joint resolution (H. J. Res. 338) authorizing the erection of a memorial to Francis Marion in the city of Washington, D. C., on a designated site; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 20087) granting an increase of pension to David W. Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20088) granting an increase of pension to George W. Evans; to the Committee on Invalid Pensions.

By Mr. ANDERSON: A bill (H. R. 20089) granting an increase of pension to Morgan W. Mills; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 20090) granting an increase of pension to T. S. Smith; to the Committee on Invalid Pensions.

By Mr. CAPSTICK: A bill (H. R. 20091) granting an increase of pension to John Tyson; to the Committee on Invalid Pensions.

By Mr. DILLON: A bill (H. R. 20092) granting an increase of pension to Jay P. Eddy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20093) granting an increase of pension to Patrick McDonnell; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 20094) granting an increase of pension to Calvin T. Cottingham; to the Committee on Pensions.

By Mr. FORDNEY: A bill (H. R. 20095) granting an increase of pension to Brainard D. Nelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20096) granting an increase of pension to James Sturdavant; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: A bill (H. R. 20097) granting a pension to Thomas F. Moore; to the Committee on Pensions.

By Mr. HELVERING: A bill (H. R. 20098) granting an increase of pension to Nicholas H. Wetzel; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 20099) granting a pension to Mrs. Etta M. Browning; to the Committee on Pensions.

By Mr. KEY of Ohio: A bill (H. R. 20100) granting an increase of pension to David H. McFadden; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 20101) granting a pension to Isaac Daniel Gibson; to the Committee on Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 20102) granting an increase of pension to Andrew J. Holden; to the Committee on Invalid Pensions.

By Mr. MCKINLEY: A bill (H. R. 20103) for the relief of Henry C. Kurtz; to the Committee on Military Affairs.

By Mr. PARKER of New Jersey: A bill (H. R. 20104) granting an increase of pension to Charles S. Shepard; to the Committee on Invalid Pensions.

By Mr. PLATT: A bill (H. R. 20105) granting an increase of pension to John Cornell; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 20106) granting an increase of pension to George L. Clapp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20107) granting a pension to Judson N. Lake; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 20108) granting an increase of pension to David Detty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20109) granting an increase of pension to James B. Cole; to the Committee on Invalid Pensions.

By Mr. WALSH: A bill (H. R. 20110) granting an increase of pension to William G. Sadler; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 20111) granting a pension to Robert G. Medlin; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALLEN: Petition of United Garment Workers of America and sundry other organizations and citizens, of Cincinnati, Ohio, against excluding certain periodicals from the mails; to the Committee on the Post Office and Post Roads.

By Mr. BACHARACH: Petition of sundry business men and professional men of Hackensack, N. J., in re work of Bureau of Naturalization and appropriation asked by Secretary of Labor for that bureau; to the Committee on Appropriations.

By Mr. BRUCKNER: Memorial of Board of Education of the City of New York, favoring appropriation for education of immigrants; to the Committee on Appropriations.

Also, petition of Brooklyn Board of Real Estate Brokers, against Federal tax on mortgages; to the Committee on Ways and Means.

Also, petition of Piel Bros., of Brooklyn, N. Y., against passage of Senate bill 4429, relating to espionage of the mails; to the Committee on the Post Office and Post Roads.

Also, petition of executive committee of the Democratic County Committee of the County of New York, against passage of zone bill; to the Committee on the Post Office and Post Roads.

By Mr. BRUMBAUGH: Petition of D. W. Freed and many citizens of Columbus, Ohio, against prohibition bills; to the Committee on the Judiciary.

By Mr. BURKE: Petitions from 24 rural mail carriers of the second congressional district of Wisconsin, petitioning for an allowance for rural mail carriers for equipment, maintenance, and increases in salary for serving routes longer than a standard route in the same ratio as reductions are made for serving routes shorter than a standard route; to the Committee on the Post Office and Post Roads.

Also, petition of Cigarmakers' Union, No. 323, of Sheboygan Falls, Wis., against District of Columbia prohibition bill and national prohibition; to the Committee on the District of Columbia.

Also, memorial of Mauston (Wis.) Commercial Club, protesting against order compelling railway mail clerks to move to terminal points; to the Committee on the Post Office and Post Roads.

By Mr. CHARLES: Petition of rural carriers in the thirty-third New York district, for maintenance of an equipment fund; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of the thirtieth New York district, favoring restriction of advertisement of intoxicating beverages; to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: Petitions of Rural Carrier H. A. Palmer and others, of Janesville, Wis., asking passage of legislation adjusting salaries of rural carriers; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Memorial of Brooklyn Board of Real Estate Brokers, against placing a Federal tax on mortgages; to the Committee on Ways and Means.

Also, memorial of Department of Education, city of New York, favoring appropriation for education of immigrants; to the Committee on Appropriations.

By Mr. DRUKKER: Petitions of citizens of Moorestown, Pemberton, and Passaic, N. J., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. DYER: Petition of Robert Pabitzky, against passage of zone bill; to the Committee on the Post Office and Post Roads.

Also, petition of California Tanning Co., favoring 1-cent postage; to the Committee on the Post Office and Post Roads.

Also, petition of James Gill, St. Louis, Mo., favoring passage of House bill 19433, relative to status of employees of the Quartermaster Corps of the Army; to the Committee on Military Affairs.

Also, petition of F. C. Myer and Retail Druggists' Association, of St. Louis, Mo., favoring passage of the Stevens bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of International Union of the United Brewery Workmen of America, favoring appropriation for education of immigrants; to the Committee on Appropriations.

Also, memorial of Friendens Evangelical Church, of St. Louis, Mo., indorsing the President's efforts to establish peace; to the Committee on Foreign Affairs.

Also, petition of L. L. Kensing, of St. Louis, Mo., in regard to House bill 9216; to the Committee on Interstate and Foreign Commerce.

By Mr. EAGAN: Petitions of sundry citizens of the State of New Jersey, favoring suffrage for women; to the Committee on the Judiciary.

Also, petition of sundry citizens of the State of New Jersey, against passage of the prohibition bills; to the Committee on the Judiciary.

Also, petition of the Commercial Exchange of Philadelphia, Pa., relative to pneumatic-tube service; to the Committee on the Post Office and Post Roads.

By Mr. ELSTON: Petition of Woman's Christian Temperance Union of Alameda County, Cal., favoring bill forbidding mailing liquor advertisements; to the Committee on the Post Office and Post Roads.

By Mr. FITZGERALD: Memorial of Brooklyn Board of Real Estate Brokers, of Brooklyn, N. Y., opposing Federal tax on mortgages; to the Committee on Ways and Means.

Also, memorial of Democratic county committee of the county of New York, opposing increase of postage on second-class mail matter; to the Committee on the Post Office and Post Roads.

Also, memorial of department of education of city of New York, favoring appropriation of \$50,000 to be used in education of immigrants; to the Committee on Appropriations.

Also, petition of business and professional men of Hackensack, N. J., favoring use of moneys received as fees from aliens who desire to become citizens of the United States for their education; to the Committee on Appropriations.

By Mr. FULLER: Petition of Oglesby (Ill.) Trades and Labor Council, favoring passage of the Nolan bill; to the Committee on Labor.

Also, petition of Rockford (Ill.) Ellida, No. 25, I. O. V., relative to reducing high cost of living; to the Committee on Interstate and Foreign Commerce.

Also, petition of National Temperance Council, favoring prohibition bills; to the Committee on the Judiciary.

Also, petition of American Federation of Teachers, favoring increased pay for teachers in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of Streator (Ill.) Aerie, No. 645, Fraternal Order of Eagles, against increase of postal rates on fraternal magazines; to the Committee on the Post Office and Post Roads.

By Mr. GALLIVAN: Petition of National Association of Life Underwriters, in favor of bill granting them a national charter; to the Committee on the Post Office and Post Roads.

Also, petition of Central Federated Union of Greater New York, against national prohibition; to the Committee on the Judiciary.

By Mr. GARNER: Memorial of Gulf Coast Oil Producers' Association, Houston, Tex., relative to taxing oil imported into the United States; to the Committee on Ways and Means.

By Mr. GRAHAM: Memorial of Select and Common Councils of City of Philadelphia, Pa., relative to pneumatic-tube mail service; to the Committee on the Post Office and Post Roads.

By Mr. HOLLINGSWORTH: Memorial of A. W. Swinehart and 16 other rural carriers of eighteenth Ohio district, favoring bill for maintenance-of-equipment fund; to the Committee on the Post Office and Post Roads.

Also, memorial of W. G. Crook and 7 other postal clerks and carriers of Wellsville, Ohio, favoring increase in pay; to the Committee on the Post Office and Post Roads.

Also, evidence to accompany House bill 15633, for pension for Douglas D. Powell; to the Committee on Pensions.

By Mr. MAPES: Petition of 18 citizens of Grand Rapids, Mich., indorsing the bill providing for the exclusion of liquor advertising and solicitation from the mails; to the Committee on the Post Office and Post Roads.

By Mr. MEEKER: Petitions of sundry citizens of Missouri against Randall rider to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petitions of Fred. A. Scherrer, William L. Chanslor, E. H. Wigge, and Alfred D. Knoblock, all of St. Louis, Mo., and Boilermakers, Iron-Ship Builders, and Helpers' Local, of Sedalia, Mo., protesting against zone bill; to the Committee on the Post Office and Post Roads.

By Mr. MOORE of Pennsylvania: Memorial of Select and Common Councils of the city of Philadelphia, protesting against the abolition of the pneumatic-tube service in Philadelphia; to the Committee on the Post Office and Post Roads.

By Mr. OVERMYER: Petitions of E. H. Bradley and 30 other rural letter carriers of the thirteenth Ohio district, asking for an allowance for equipment maintenance, and asking for increased salary where the length of the route exceeds the standard route length as fixed by the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. ROGERS: Petition of sundry rural carriers in favor of an increased salary and allowance; to the Committee on the Post Office and Post Roads.

By Mr. ROWE: Petitions of the Crockery Board of Trade of New York, Chamber of Commerce of the State of New York, business men of Philadelphia, and Select and Common Councils of the city of Philadelphia, relative to pneumatic mail-tube service; to the Committee on the Post Office and Post Roads.

Also, petition of Bakery and Confectionery Workers' International Union of America against prohibition in the District of Columbia and national prohibition; to the Committee on the District of Columbia.

Also, petitions of the American Printer and International Brotherhood of Bookbinders of New York City against bill to increase postage on second-class matter; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Michigan: Petition of Edward A. Dorris, of Quincy; 2 citizens of Quincy; 1 citizen of Litchfield; 6 citizens of Bronson; 4 citizens of Hillsdale; 1 citizen of Richland; 1 citizen of North Adams; 1 citizen of Alamo; 2 citizens of Allen; 1 citizen of Mosherville; 3 citizens of Schoolcraft; 2 citizens of Union City; 1 citizen of Charlotte; 1 citizen of Bellevue; 3 citizens of Vermontville; 6 citizens of Coldwater; 1 citizen of Osseo; 1 citizen of Augusta; 1 citizen of Climax; 1 citizen of Sunfield; 1 citizen of Ceresco; and 1 citizen of Sherwood, all in the State of Michigan, favoring reasonable allowance for equipment maintenance for rural carriers; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Texas: Petition of postal clerks of Mineral Wells, Tex., favoring increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. SNYDER: Petitions of sundry citizens of thirty-third New York district, favoring suffrage amendment; to the Committee on the Judiciary.

Also, petition of rural carriers of the thirty-third district of New York, favoring maintenance-of-equipment fund; to the Committee on the Post Office and Post Roads.

By Mr. STINESS: Petitions of sundry citizens, in opposition to prohibition bills; to the Committee on the Judiciary.

By Mr. TEMPLE: Petition of Fred C. Ray and 31 other members of the New Castle Typographical Union, No. 270, protesting against the provisions in the Post Office appropriation bill which seeks to apply the zone system to newspapers, magazines, and periodicals, and which changes the rates of postage on such mail matter; to the Committee on the Post Office and Post Roads.

Also, petition of Harry Rays, Charleroi, Pa., and other citizens, protesting against House bill 18986, Senate bills 4429 and 1082, House joint resolution 84, and House bill 17850; to the Committee on the Judiciary.

Also, petition of J. Allan, Roscoe, Pa., and other citizens, protesting against House bill 18986, Senate bills 4429 and 1082, House joint resolution 84, and House bill 17850; to the Committee on the Judiciary.

Also, petition of Alvis Kroll, Roscoe, Pa., and other citizens, protesting against House bill 18986, Senate bills 4429 and 1082, House joint resolution 84, and House bill 17850; to the Committee on the Judiciary.

By Mr. WARD: Petitions of 30 citizens of Kingston and Rifton and citizens of Sullivan County, N. Y., opposing passage of House bill 18986, Senate bills 4429 and 1082, and House joint resolution 84; to the Committee on the Post Office and Post Roads.

By Mr. WINSLOW: Petition of citizens of Worcester, Mass., protesting against passage of measures to restrict liquor traffic; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota: Petition of A. L. Orange and 35 others, favoring bill to prohibit mailing liquor advertisements; to the Committee on the Post Office and Post Roads.